FEDERAL REGISTER

VOLUME 13 NUMBER 56

Washington, Saturday, March 20, 1948

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9936

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Terminal Railroad Association of St. Louis, a carrier, and certain of its employees represented by the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Railroad Trainmen, labor organizations; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a large portion of the country of essential transportation service:

NOW THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160) I hereby create a board of three members, to be appointed by me, to investigate said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Terminal Railroad Association of St. Louis or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,

March 18, 1948.

[F. R. Doc. 48-2573; Filed, Mar. 19, 1948; 10:07 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter II—The Loyalty Review Board

PART 210—THE OPERATIONS OF THE LOYALTY REVIEW BOARD

PART 220—DIRECTIVES TO THE DEPARTMENTS AND AGENCIES; CASES OF INCUMBENT AND EXCEPTED EMPLOYEES

PART 230—DIRECTIVES TO THE REGIONAL LOYALTY BOARDS; CASES OF APPLICANTS AND APPOINTEES IN THE COMPETITIVE SERVICE

MISCELLANEOUS AMENDMENTS

1. Section 210.11 (b) (6) is amended by the addition of the following sentence at the end of the first undesignated paragraph therein: "The organizations so designated by the Attorney General are listed in Appendix A to this part."

2. Appendix A to Part 210 is hereby issued as follows:

APPENDIX A—LIST OF ORGANIZATIONS DESIGNATED BY THE ATTORNEY GENERAL PURSUANT TO EXECUTIVE ORDER NO. 9835

After the issuance of Executive Order No. 9835 by the President, the Department of Justice compiled all available data with respect to the type of organization to be dealt with under that order. The investigative reports of the Federal Bureau of Investigation concerning such organizations were correlated. Memoranda on each such organization were prepared by attorneys of the Department. The list of organizations contained herein has been certified to the Board by the Attorney General on the basis of recommendations of attorneys of the Department as reviewed by the Solicitor General, the Assistant Attorneys General, and the Assistant Solicitor General, and subsequent careful study of all by the Attorney General.

In connection with the designation of these organizations, the Attorney General has pointed out, as the President had done previously, that it is entirely possible that many persons belonging to such organizations may be loyal to the United States; that membership in, affiliation with, or sympathetic association with, any organization designated is simply one piece of evidence which may or may not be helpful in arriving at a conclusion as to the action which is to be taken in a particular case. "Guilt by association" has never been one of the principles of our American jurisprudence. We must be satisfied that reasonable grounds exist for con-

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

[1] P. L. O. 458.

CODIFICATION GUIDE—Con.

cluding that an individual is disloyal. That must be the guide.

The organizations named herein do not represent a complete or final compilation. For example, a number of small and local organizations are not listed. As to many organizations not named, the presently available information is insufficient to warrant a final determination as to their character. Others, presently innocuous, may become the victims of dangerous infiltrating forces and, as a consequence, become proper subjects for designation. New organizations may come into existence whose purposes and activities are in conflict with loyalty to the United States. From time to time, therefore, as contemplated and directed by the Executive order, there will be furnished to the Board the names of organizations and groups as to which the information received by the Department of Justice, resulting from continued investigation, indicates similar designations are required.

The names of the organizations listed below were transmitted by the Attorney General to the Loyalty Review Board on November 24, 1947, and the Loyalty Review Board disseminated such information to all departments and agencies on December 4, 1947. The first group is reported as having been previously named as subversive by the Department of Justice and as having been previously disseminated among the Government agencies for use in connection with consideration of employee loyalty under Executive Order No. 9300, issued February 5, 1943, entitled "Establishing the Interdepartmental Committee to Consider Cases of Subversive Activity on the Part of Federal Employees," and under other relevant authority. Such list included the following organizations:

American League Against War and Fascism.
American Patriots, Inc.
American Peace Mobilization.
American Youth Congress.
Association of German Nationals (Reichsdeutsche Vereinigung).
Black Dragon Society.
Central Japanese Association (Beikoku Chuo Nipponjin Kai).
Central Japanese Association of Southern California.
The Central Organization of the German-American National Alliance (Deutsche-Amerikanische Einheitsfront).
Communist Party of U. S. A.
Congress of American Revolutionary Writers.
Dai Nippon Butoku Kai (Military Virtue Society of Japan or Military Art Society of Japan).
Dante Alighieri Society.
Federation of Italian War Veterans in the U. S. A., Inc. (Associazione Nazionale Conbattenti Italiani, Federazione degli Stati Uniti d' America).
Friends of the New Germany (Freunde des Neuen Deutschlands).
German-American Bund (Amerikadeutscher Volksbund).
German-American Vocational League (Deutsche - Amerikanische Berufsgemeinschaft).
Heimuska Kai, also known as Nokubei Heieki Gimusha Kai, Zaibei Nihonjin, Heiyaku Gimusha Kai, and Zaibei Heimusha Kai (Japanese Residing in America Military Conscripts Association).
Hinode Kai (Imperial Japanese Reservists).
Hinomaru Kai (Rising Sun Flag Society—a group of Japanese War Veterans).
Hokubei Zaigo Shoke Dan (North American Reserve Officers Association).
Japanese Association of America.
Japanese Overseas Central Society (Kaigai Dobo Chuo Kai).
Japanese Overseas Convention, Tokyo, Japan, 1940.
Japanese Protective Association (Recruiting Organization).
Jikyoku Iin Kai (Current Affairs Association).
Kibei Seinen Kai (Association of U. S. Citizens of Japanese Ancestry who have returned to America after studying in Japan).
Kyffhaeuser, also known as Kyffhaeuser League (Kyffhaeuser Bund), Kyffhaeuser Fellowship (Kyffhaeuser Kameradschaft).
Kyffhaeuser War Relief (Kyffhaeuser Kriegshilfswerk).
Lictor Society (Italian Black Shirts).
Mario Morgantini Circle.
Michigan Federation for Constitutional Liberties.
Napka Teikoku Gunyudan (Imperial Military Friends Group or Southern California War Veterans).
National Committee for the Defense of Political Prisoners.
National Federation for Constitutional Liberties.
National Negro Congress.
Nichibei Kogyo Kaisha (The Great Fujii Theatre).
Northwest Japanese Association.
Protestant War Veterans of the U. S., Inc.
Sakura Kai (Patriotic Society, or Cherry Association—composed of veterans of Russo-Japanese War).
Shinto Temples.
Silver Shirt Legion of America.
Sokoku Kai (Fatherland Society).
Suiko Sha (Reserve Officers Association, Los Angeles).
Washington Book Shop Association.
Washington Committee for Democratic Action.
Workers Alliance.

Under Part III, section 3, of Executive Order No. 9835, the following additional organizations are designated.

American Polish Labor Council.
American Youth for Democracy.
Armenian Progressive League of America.
Civil Rights Congress and its affiliated organizations, including: Civil Rights Congress for Texas. Veterans Against Discrimination of Civil Rights Congress of New York.
The Columbians.
Communist Party, U. S. A., formerly Communist Political Association, and its affiliates and committees, including: Citizens Committee of the Upper West Side (New York City). Committee to Aid the Fighting South. Dennis Defence Committee. Labor Research Association, Inc. Southern Negro Youth Congress. United May Day Committee. United Negro and Allied Veterans of America.
Connecticut State Youth Conference.
Council on African Affairs.
Hollywood Writers Mobilization for Defense.
Hungarian-American Council for Democracy.
International Workers Order, including People's Radio Foundation, Inc.
Joint Anti-Fascist Refugee Committee.
Ku Klux Klan.
Macedonian-American People's League.
National Committee to Win the Peace.
National Council of American-Soviet Friendship.
Nature Friends of America (since 1935).
New Committee for Publications.
Photo League (New York City).
Proletarian Party of America.
Revolutionary Workers League.
Socialist Workers Party, including American Committee for European Workers' Relief.
Veterans of the Abraham Lincoln Brigade.
Workers Party, including socialist Youth League.

Attention is also directed to certain organizations which are operated as schools. While the Attorney General is not of the view that any institution of learning, devoted to the advancement of knowledge, is subversive, it appears that these organizations are adjuncts of the Communist Party. They are as follows:

Abraham Lincoln School, Chicago, Ill.
George Washington Carver School, New York City.
Jefferson School of Social Science, New York City.
Ohio School of Social Sciences.
Philadelphia School of Social Science and Art.
Samuel Adams School, Boston, Mass.
School of Jewish Studies, New York City.
Seattle Labor School, Seattle, Wash.
Tom Paine School of Social Science, Philadelphia, Pa.
Tom Paine School of Westchester, New York.
Walt Whitman School of Social Science, Newark, N. J.

3. Section 220.2 (a) is amended by the addition of the following sentence at the end of the paragraph: "Activities and associations which may be considered in connection with the determination of disloyalty are listed in § 210.11 (b) of this chapter."

4. Section 230.2 (a) is amended by the addition of the following sentence at the end of the paragraph: "Activities and associations which may be considered in connection with the determination of disloyalty are listed in § 210.11 (b) of this chapter."

(E. O. 9835, March 21, 1947, 12 F. R. 1935)

THE LOYALTY REVIEW BOARD,
UNITED STATES CIVIL SERVICE COMMISSION.
SETH W. RICHARDSON,
Chairman.

[P. R. Doc. 48-2127; Filed, Mar. 19, 1948; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Orange Reg. 141]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.386 *Orange Regulation 141*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, 1946 Supp., Part 933, 12 F R. 7383) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., March 22, 1948, and ending at 12:01 a. m., e. s. t., April 5, 1948, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade, as such grades are defined in the United States Standards for citrus fruits, as amended (12 F. R. 6277)

(ii) Any container of oranges, except Temple oranges, grown in Regulation Area I which grade U. S. Combination Grade (as such grade is defined in the aforesaid amended United States Standards) unless at least sixty percent (60%) by count, of the total quantity of oranges in such container meets the requirements of U. S. No. 1 grade (as such grade is defined in the aforesaid amended United States Standards) and each of the remainder of the oranges meets all the requirements of the aforesaid U. S. Combination Grade for oranges meeting the requirements of the U. S. No. 2 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2, U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid amended United States Standards) *Provided,* That, any such oranges that grade U. S. No. 2, as aforesaid, may be shipped only if such oranges also meet the additional requirements specified in the U. S. Combination Grade (as such grade is defined in the aforesaid amended United States Standards) for oranges meeting the requirements of the U. S. No. 2 grade; or

(iv) Any oranges, except Temple oranges, grown in the State of Florida which are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States Standards) in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated sec. 595.09)

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 17th day of March 1948.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-2517; Filed, Mar. 19, 1948; 9:10 a. m.]

[Lemon Reg. 266]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.373 *Lemon Regulation 266*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 21, 1948, and ending at 12:01 a. m., P. s. t., March 28, 1948, is hereby fixed at 250 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 265 (13 F R. 1333) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 18th day of March 1948.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-2514; Filed, Mar. 19, 1948; 9:09 a. m.]

[Grapefruit Reg. 54]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF., AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.315 *Grapefruit Regulation 54*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 55 (7 CFR, Cum. Supp., 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation of the Administrative Committee established under the said marketing agreement and the said order, and upon other available information, it is hereby found that the limitation of shipments of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the

time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) During the period beginning at 12: 01 a. m., P. s. t., March 21, 1948, and ending at 12: 01 a. m., P. s. t., April 18, 1948, no handler shall ship:

(i) Any grapefruit grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, which grade lower than U. S. No. 2 grade, as such grades are defined in the revised United States Standards for Grapefruit (California and Arizona) 12 F. R. 1975; or

(ii) From the State of California or the State of Arizona to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than 3 3/16 inches in diameter ("diameter" to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit) except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona) *Provided,* That in determining the percentage of grapefruit in any lot which are smaller than 3 3/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3 1/16 inches in diameter and smaller.

(2) During the period beginning at 12:01 a. m., P. s. t., March 21, 1948, and ending at 12:01 a. m., P. s. t., April 4, 1948, no handler shall ship, from the State of California or the State of Arizona to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3 11/16 inches in diameter ("diameter" to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit) except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona) *Provided,* That in determining the percentage of grapefruit in any lot which are smaller than 3 11/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 4 2/16 inches in diameter and smaller.

(3) During the period beginning at 12:01 a. m., P. s. t., April 4, 1948, and ending at 12:01 a. m., P s. t., April 18, 1948, no handler shall ship, from the State of California or the State of Arizona to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3 5/16 inches in diameter ("diameter" to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards for Grapefruit (California and Arizona) *Provided,* That in determining the percentage of grapefruit in any lot which are smaller than 3 5/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3 5/16 inches in diameter and smaller.

(4) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said marketing agreement and order. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 17th day of March 1948.

[SEAL] FLOYD F. HEDLUND,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-2516; Filed, Mar. 19, 1948; 9:09 a. m.]

[Orange Reg. 222]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.368 *Orange Regulation 222*— (a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 21, 1948, and ending at 12: 01 a. m., P. s. t., March 28, 1948, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate Districts Nos. 1 and 2, no movement; (*b*) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1, unlimited movement; (*b*) Prorate District No. 2, 1100 carloads; and (*c*) Prorate District No. 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 18th day of March 1948.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Mar. 21, 1948, to 12:01 a. m. Mar. 28, 1948]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. P. G. Alta Loma	.1637
A. P. G. Corona	.5342
A. P. G. Fullerton	.0000
A. P. G. Orange	.0000
A. P. G. Riverside	.5263
Hazeltine Packing Co	.1423
Placentia Pioneer Valencia Growers Association	.0000
Signal Fruit Association	.9343
Azusa Citrus Association	.9293
Azusa Orange Co	.1305
Damerel-Allison Co	.9339
Glendora Mutual Orange Association	.5072
Irwindale Citrus Association	.3541
Puente Mutual Citrus Association	.0466
Valencia Heights Orchard Association	.2143
Covina Citrus Association	1.5951
Covina Orange Growers Association	.4363
Duarte-Monrovia Fruit Exchange	4464
Glendora Citrus Association	.8323
Glendora Heights Orange and Lemon Growers Association	.1414
Gold Buckle Association	3.5259
La Verne Orange Association	3.5632
Anaheim Citrus Fruit Association	.0000
Anaheim Valencia Orange Association	.0075
Eadington Fruit Co., Inc	.0000
Fullerton Mutual Orange Association	.0000
La Habra Citrus Association	.0000
Orange County Valencia Association	.0000
Orangethorpe Citrus Association	.0000
Placentia Coop. Orange Association	.0000
Yorba Linda Citrus Association	.0000

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Alta Loma Hts. Citrus Association	0.3949
Citrus Fruit Growers	.9693
Cucamonga Citrus Association	.5715
Etiwanda Citrus Fruit Association	.2086
Mountain View Fruit Association	.1755
Old Baldy Citrus Association	4779
Rialto Heights Orange Association	4461
Upland Citrus Association	2.4736
Upland Heights Orange Growers	1.0774
Consolidated Orange Growers	.0000
Frances Citrus Association	.0036
Garden Grove Citrus Association	.0000
Goldenwest Citrus Association, The	.0000
Olive Heights Citrus Association	.0410
Santa Ana-Tustin Mutual Citrus Association	.0214
Santiago Orange Growers Association	.0000
Tustin Hills Citrus Association	.0360
Villa Park Orchards Association, The	.0174
Bradford Brothers, Inc	.0000
Placentia Mutual Orange Association	0000
Placentia Orange Growers Association	.0000
Call Ranch	7793
Corona Citrus Association	.9928
Jameson Co	.3664
Orange Heights Orange Association	1.0599
Crafton Orange Growers Association	1.4622
E. Highlands Citrus Association	4746
Fontana Citrus Association	4951
Highland Fruit Growers Association	6434
Redlands Heights Groves	1.1268
Redlands Orangedale Association	1.2605
Break & Son, Allen	.2938
Bryn Mawr Fruit Growers Association	1.1403
Krinard Packing Co	2.0928
Mission Citrus Association	7893
Redlands Coop. Fruit Association	1.7527
Redlands Orange Growers Association	1.2074
Redlands Select Groves	.5250
Rialto Citrus Association	7097
Rialto Orange Co	4467
Southern Citrus Association	1.0929
United Citrus Co	7908
Zilen Citrus Co	7815
Andrews Brothers of California	.2425
Arlington Heights Citrus Co	.5526
Brown Estate, L. V. W	1.7742
Gavilan Citrus Association	1.8256
Hemet Mutual Groves	.3174
Highgrove Fruit Association	7612
McDermont Fruit Co	2.0397
Monte Vista Citrus Association	1.1945
National Orange Co	.8851
Riverside Heights Orange Growers Association	1.1395
Sierra Vista Packing Association	7248
Victoria Avenue Citrus Association	2.5070
Claremont Citrus Association	1.2661
College Heights Orange and Lemon Association	1.2935
El Camino Citrus Association	.5986
Indian Hill Citrus Association	1.5368
Pomona Fruit Growers Exchange	1.9226
Walnut Fruit Growers Association	4655
West Ontario Citrus Association	1.7205
El Cajon Valley Citrus Association	.2816
Escondido Orange Association	4988
San Dimas Orange Growers Association	1.2857
Ball & Tweedy Association	.0000
Canoga Citrus Association	.0000
N. Whittier Heights Citrus Association	.1148

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
San Fernando Fruit Growers Association	0.3523
San Fernando Heights Orange Association	.3762
Sierra Madre Lamanda Citrus Association	.2198
Camarillo Citrus Association	.0088
Fillmore Citrus Association	1.1461
Ojai Orange Association	.9997
Piru Citrus Association	1.2879
Santa Paula Orange Association	.1157
Tapo Citrus Association	.0009
E. Whittier Citrus Association	.0033
Whittier Citrus Association	.0000
Whittier Select Citrus Association	.0000
Anaheim Coop. Orange Association	.0000
Bryn Mawr Mutual Orange Association	.6616
Chula Vista Mutual Lemon Association	.0000
Escondido Coop. Citrus Association	.0000
Euclid Avenue Orange Association	2.2897
Foothill Citrus Union, Inc	.1092
Fullerton Coop. Orange Association	.0000
Garden Grove Orange Coop., Inc	.0228
Glendora Coop. Citrus Association	.0688
Golden Orange Groves, Inc	.2822
Highland Mutual Groves	.2771
Index Mutual Association	0044
La Verne Coop. Citrus Association	2.7638
Mentone Heights Association	.9877
Olive Hillside Groves	0000
Orange Coop. Citrus Association	.0000
Redlands Foothill Groves	2.4681
Redlands Mutual Orange Association	1.0199
Riverside Citrus Association	.4411
Ventura County Orange & Lemon Association	.1963
Whittier Mutual Orange & Lemon Association	.0000
Babijuice Corp. of Calif	4673
Banks Fruit Co	.2052
California Fruit Distributors	.0510
Cherokee Citrus Co., Inc	.9322
Chess Company, Meyer W	.2974
Evans Brothers Packing Co	7843
Gold Banner Association	2.0417
Granada Packing House	.2132
Hill, Fred A	7261
Inland Fruit Dealers	.3992
Orange Belt Fruit Distributors	2.1128
Panno Fruit Co., Carlo	.1806
Paramount Citrus Association, Inc	.1829
Placentia Orchards Co	.0000
San Antonio Orchard Co	1.3494
Snyder & Sons Co., W. A	.3386
Torn Ranch	.0598
Verity & Sons Co., R. H	.0851
Wall, E. T	1.9558
Western Fruit Growers, Inc., Reds	3.2097
Yorba Orange Growers Association	.0041

[F. R. Doc. 48-2515; Filed, Mar. 19, 1948; 9:09 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter B—Estate and Gift Taxes

[T. D. 5608]

PART 86—GIFT TAX UNDER CHAPTER 4 OF THE INTERNAL REVENUE CODE, AS AMENDED

PLACE OF FILING NOTICE OF GIFTS BY DONEES AND TRUSTEES

PARAGRAPH 1. Section 86.21 of Regulations 108 is amended by striking out the seventh sentence and inserting in lieu thereof the following: "The notice shall be filed in duplicate, on or before the 15th day of March following the close of the calendar year in which the transfer was made, with the collector of internal revenue for the district in which is located the legal residence of the donor, or, if he has no legal residence in the United States, then, unless the Commissioner otherwise designates, with the collector of internal revenue at Baltimore, Md."

PAR. 2. Because the purpose of this Treasury decision is merely to effect uniformity with respect to the place of filing of all returns relating to a particular gift by requiring that information returns of donees and trustees be filed with the collector for the district in which the donor resides, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

PAR. 3. This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

(53 Stat. 157, 467; 26 U. S. C. 1029, 3791)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: March 15, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-2429; Filed, Mar. 19, 1948; 8:57 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5611]

PART 101—TAXES ON ADMISSIONS, DUES, AND INITIATION FEES

TERMINATION OF CERTAIN TAX PROVISIONS BEFORE END OF WORLD WAR II

In order to conform Regulations 43 (1941 edition) to section 11 of Public Law 384 (80th Congress), approved August 8, 1947, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 101.2 the following:

Public Law 384 (80th Congress), approved August 8, 1947.

SEC. 11. TAX ON ADMISSIONS. (a) Section 1700 (a) (1) of the Internal Revenue Code is hereby amended by striking out "(except bona fide employees, municipal officers on official business, children under twelve years of age, members of the military or naval forces of the United States when in uniform, members of the military or naval forces of any of the United Nations, when in uniform, and members of the Civilian Conservation Corps when in uniform)" and inserting in lieu thereof: "(except bona fide employees, municipal officers on official business, and children under twelve years of age)", and by striking out the last sentence.

(b) The amendments made by subsection (a), insofar as applicable with respect to amounts paid for admission, shall be applicable to amounts paid after December 31, 1947, and, insofar as applicable to free admissions, shall be applicable with respect to such admissions after December 31, 1947.

PAR. 2. Section 101.5, as amended by Treasury Decision 5170, approved September 25, 1942, is further amended by adding at the end of the second paragraph of paragraph (b), the following sentence: "These exemptions do not apply to admissions after December 31, 1947. (See section 11 of Public Law 384, 80th Congress.)"

PAR. 3. The following is inserted immediately preceding § 101.15:

Public Law 384.(80th Congress), approved August 8, 1947.

SEC. 11. TAX ON ADMISSIONS.

(a) Section 1700 (a) (1) of the Internal Revenue Code is hereby amended * * * by striking out the last sentence.

(b) The amendments made by subsection (a), insofar as applicable with respect to amounts paid for admission, shall be applicable to amounts paid after December 31, 1947, and, insofar as applicable to free admissions, shall be applicable with respect to such admissions after December 31, 1947.

PAR. 4. Section 101.15, as amended by Treasury Decision 5170, is further amended by adding at the end of paragraph (b) the following sentence: "These exceptions are not applicable to amounts paid after December 31, 1947. (See section 11 of Public Law 384, 80th Congress.)"

PAR. 5. Section 101.18, as amended by Treasury Decision 5349, approved March 17, 1944, is further amended by adding at the end of the second paragraph of paragraph (a) the following sentence: "After December 31, 1947, the foregoing provisions are applicable only in the case of children under 12 years of age. (See section 11 of Public Law 384, 80th Congress.)"

(53 Stat. 467; 26 U. S. C. 3791)

Because of the technical nature of the amendments made herein, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: March 16, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-2440; Filed, Mar. 19, 1948; 8:58 a. m.]

[T. D. 5609]

PART 315—LICENSING UNDER THE FEDERAL FIREARMS ACT OF MANUFACTURERS OF, AND DEALERS IN, FIREARMS OR AMMUNITION

APPLICATION FOR LICENSE

MARCH 15, 1948.

Treasury Decision 4898, approved May 1, 1939, as amended by Treasury Decision 5564, approved May 23, 1947, is hereby further amended by changing § 315.4 thereof to read as follows:

§ 315.4 *Application for a license.* The application for a license shall be made on Form 7 (Firearms), copies of which may be procured from collectors. The application shall be filed with the collector for the district within which the principal place of business of the applicant is located. The application must contain all the information required by the form.

(Sec. 7, 52 Stat. 1252; 15 U. S. C. 907)

Because the purpose of this Treasury decision is to relieve restriction, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-2430; Filed, Mar. 19, 1948; 8:57 a. m.]

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5610]

PART 472—REGULATIONS UNDER SECTION 3804 OF THE INTERNAL REVENUE CODE

TIMELY PERFORMANCE OF CERTAIN ACTS POSTPONED BY REASON OF WAR

On December 5, 1947, notice of proposed rule making, regarding amendments to the regulations relating to the postponement by reason of the war of the time for performing certain acts, made necessary by certain provisions of the act approved August 8, 1947 (Public Law 384, 80th Congress), was published in the FEDERAL REGISTER (12 F. R. 8172). After consideration of all such relevant matter as was presented by interested persons regarding the proposal, the amendments set forth below are hereby adopted. The amendments are made in order to conform Treasury Decision 5279, approved July 10, 1943, relating to the period of time disregarded under section 3804 of the Internal Revenue Code in determining whether certain acts are timely performed, to sections 6, 13, and 14 of the act approved August 8, 1947 (Public Law 384, 80th Congress). Such Treasury decision is amended as follows:

PARAGRAPH 1. Immediately following the provisions of law under the caption "Sec. 507. Time for performing certain acts postponed by reason of war. (Revenue Act of 1942.)" preceding § 472.0, the following is inserted:

Sections 13 and 14 of the Act approved August 8, 1947 (Public Law 384, 80th Congress).

SEC. 13. TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR.

Section 3804 (c) of the Internal Revenue Code is hereby amended to read as follows:

(c) *Limitation on time to be disregarded.* The period of time disregarded under this section shall not extend beyond the date specified in clause (1) or clause (2) of this subsection, whichever is the earlier:

(1) December 31, 1947, or such date later than December 31, 1947, as the Commissioner may fix in any case in which he makes a determination under subsection (b) if such determination is made after the date this subsection as amended takes effect and is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraph (1), (2), or (3) of subsection (b); or

(2) In the case of an individual with respect to whom a period of time is disregarded under this section, the fifteenth day of the third month following the month in which an executor, administrator, or a conservator of the estate of such individual qualifies.

SEC. 14. CERTAIN TRADE ACT CORPORATIONS.

Section 3805 of the Internal Revenue Code is hereby amended by striking out "the fifteenth day of the sixth month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President" and inserting in lieu thereof: "December 31, 1947"

PAR. 2. Immediately preceding the caption "Soldiers' and Sailors' Civil Relief Act of 1940, as amended by section 19 of Public Law 554 (77th Congress) approved May 14, 1942, and section 18 of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942" which precedes § 472.0, the following is inserted:

Act approved July 1, 1944 (58 Stat. 679).

That the Act * * * approved March 7, 1942 (56 Stat. 143) [Public Law 490, 77th Congress], * * * is amended by changing subsection (a) (3) of section 1, thereof to read as follows: "(3) civilian officers and employees of departments during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis;" * * *

* * * * *

SEC. 7. That such Act is amended by adding at the end thereof a new section to read as follows:

SEC. 19. This Act may be cited as the "Missing Persons Act"

* * * * *

(The foregoing amendments made by the Act approved July 1, 1944, are effective as if they had been enacted as a part of Public Law 490, 77th Congress, approved March 7, 1942.)

Section 1 of the Act approved May 16, 1947 (Public Law 64, 80th Congress).

That subsection (a) (3) of section 1 of Public Law 490 of the Seventy-seventh Congress approved March 7, 1942 (56 Stat. 143), as amended by Public Law 403 of the Seventy-eighth Congress approved July 1, 1944 (58 Stat. 679), is hereby further amended to read as follows:

(3) Civilian officers and employees of departments and civilian officers and employees of the United States Naval Government of Guam, during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis;

Section 6 of the Act approved August 8, 1947 (Public Law 384, 80th Congress).

SEC. 6. TAX DETERMINENTS OF SERVICE PERSONNEL.

Section 13 (c) (2) of the Missing Persons Act (Public Law 490, Seventy-seventh Congress; 56 Stat. 146) is hereby amended to read as follows:

(2) December 31, 1947; or.

PAR. 3. Section 472.1 (c) is amended by striking out the second sentence of

the third paragraph and inserting in lieu thereof the following:

Section 3804 (c) as amended by section 13 of the act approved August 8, 1947 (Public Law 384, 80th Congress) provides that the period of time disregarded under section 3804 in respect of any tax liability shall in no event extend beyond the date specified in subparagraphs (1) or (2) of this paragraph, whichever is the earlier:

(1) December 31, 1947, or such date later than December 31, 1947, as the Commissioner of Internal Revenue may fix in any case in which he makes a determination under section 3804 (b) if such determination is made after August 8, 1947, and is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraph (1) (2) or (3) of section 3804 (b) or

(2) In the case of an individual with respect to whom a period of time is disregarded under section 3804, the 15th day of the third month following the month in which an executor, administrator, or a conservator of the estate of such individual qualifies.

PAR. 4. Section 472.101 (b) is amended by inserting after "the Women's Army Auxiliary Corps," the following: "the Women's Army Corps,"

PAR. 5. Section 472.202, as amended by Treasury Decision 5456, approved June 9, 1945, is further amended as follows:

(A) By striking out that portion of the first sentence of paragraph (b) which precedes subparagraph (1) and inserting in lieu thereof the following: "The due date for any income tax return and for any payment (including any installment payment) of income tax is, subject to the limitations prescribed in paragraph (c) of this section, postponed in the case of any individual in the military or naval forces of the United States serving on sea duty or outside the continental United States after December 6, 1941, and prior to January 1, 1948, in case:

(B) By inserting after "become due" in subparagraph (1) of paragraph (b) the following: "(such day being after December 6, 1941, and prior to January 1, 1948)"

(C) By inserting after "December 31, 1944" in subparagraph (3) of paragraph (b) a comma and the following: "and such 91st day occurs prior to January 1, 1948"

(D) By inserting after "sea duty" in subparagraph (4) of paragraph (b) the following: "after December 6, 1941, and prior to January 1, 1948"

(E) By striking out subparagraph (2) of paragraph (c) and inserting in lieu thereof the following:

(2) June 15, 1948; or

PAR. 6. Section 472.203, as amended by Treasury Decision 5456, is further amended as follows:

(A) By inserting after "December 6, 1941," in paragraph (b) the following: "and prior to January 1, 1948,"

(B) By striking out subparagraph (2) of paragraph (c) and inserting in lieu thereof the following:

(2) June 15, 1948; or

PAR. 7. Section 472.502 is amended by inserting after "December 6, 1941," in the first sentence thereof the following: "and prior to January 1, 1948,"

PAR. 8. Section 472.503 is amended as follows:

(A) By inserting after "Americas" in subparagraph (1) of paragraph (a) the following: "prior to January 1, 1948"

(B) By striking out subparagraph (2) of paragraph (a) and inserting in lieu thereof the following:

(2) The next 90 days after the period referred to in subparagraph (1) of this paragraph; or, if the last day of such 90-day period falls after December 30, 1947, the period beginning immediately after the period referred to in subparagraph (1) of this paragraph and ending on the 15th day of the sixth month following the month in which the period referred to in subparagraph (1) of this paragraph terminates.

(C) By adding the following sentence at the end of paragraph (a) "In the application of the preceding sentence, if the 15th day of the fourth month following the month in which the employee returns to the continental United States falls after December 30, 1947, the 15th day of the sixth month shall be substituted for the 15th day of the fourth month in such sentence."

(D) By striking out "(subject to the limitations prescribed in section 3804 (c) (see paragraph (c) of this section))" in subparagraph (1) of paragraph (b)

(E) By striking out " if any," in subparagraph (2) of paragraph (b) and by striking out "section 3804 (c)" in such clause and inserting in lieu thereof the following: "paragraph (c) of this paragraph"

(F) By striking out "As provided in section 3804 (c) the" in paragraph (c) and inserting in lieu thereof "The"

(G) By striking out subparagraph (1) of paragraph (c) and inserting in lieu thereof the following:

(1) June 15, 1948; or

PAR. 9. Section 472.803 is amended by striking out the third sentence and inserting in lieu thereof the following: "No period prior to December 7, 1941, shall be disregarded, nor, in case the Commissioner's determination was made on or before August 8, 1947 (the date of the enactment of Public Law 384, 80th Congress) shall a period after December 31, 1947, be disregarded. Such period after December 31, 1947, as the Commissioner may fix shall be disregarded in any case in which the Commissioner makes a determination under this subpart after August 8, 1947, provided such determination is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraphs (a) (b) or (c) of § 472.802."

PAR. 10. Section 472.805 is amended by striking out "the 15th day of the third month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President" and inserting in lieu thereof the following: "December 31, 1947"

PAR. 11. Section 472.806 is amended as follows:

(A) By striking out in paragraph (a) "the 15th day of the sixth month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President" and inserting in lieu thereof the following: "December 31, 1947"

(B) By striking out in paragraph (b) "the 15th day of the third month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President" and inserting in lieu thereof the following: "December 31, 1947"

PAR. 12. Section 472.903 is amended by striking out the third sentence and inserting in lieu thereof the following: "No period prior to December 7, 1941, shall be disregarded, nor, in case the Commissioner's determination was made on or before August 8, 1947 (the date of the enactment of Public Law 384, 80th Congress) shall a period after December 31, 1947, be disregarded. Such period after December 31, 1947, as the Commissioner may fix shall be disregarded in any case in which the Commissioner makes a determination under this subpart after August 8, 1947, provided such determination is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraphs (a) (b), or (c) of § 472.902. In no event, however, shall the period disregarded extend beyond the 15th day of the third month following the month in which an executor, administrator, or a conservator of the estate of the individual qualifies as such.

(53 Stat. 467, 56 Stat. 961, 963, secs. 6, 13, 14, Pub. Law 384, 80th Cong., 26 U. S. C. and Sup., 3791, 3804, 3805)

Because sections 6, 13, and 14 of the act approved August 8, 1947 (Pub. Law 384, 80th Cong.) being the sections interpreted or applied by this Treasury decision, became effective on that date, it is hereby found that it is impracticable and unnecessary to issue this Treasury decision subject to the effective date limitation of section 4 (c) of the Administrative Procedure Act, approved June 11, 1946.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: March 15, 1948.

E. H. FOLEY, Jr.,
Secretary of the Treasury.

[F. R. Doc. 48-2428; Filed, Mar. 19, 1948; 8:56 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 25—BOARD OF REVIEW, DISCHARGES, AND DISMISSALS OF FORMER PERSONNEL OF THE NAVY AND MARINE CORPS

MISCELLANEOUS AMENDMENTS

1. Amend § 25.1 *General provisions; jurisdiction* by deleting from paragraph (a) the words "of July 22, 1944"

2. Amend § 25.1 by adding paragraph (d) as follows:

(d) Section 301, Servicemen's Readjustment Act, provides for a review of the type and nature of a discharge or

dismissal and further provides that the decision of the Board shall be final subject only to the review of the Secretary of the Navy. Accordingly when the decision of the Board has been approved by the Secretary of the Navy the case has reached a finality and the Board has no authority to reopen the proceedings for further review, except that the Board may, in its discretion, when authorized by the Secretary of the Navy, reconsider and change the action originally taken upon the production of material, newly discovered evidence.

3. Amend § 25.2 (a) to read as follows:

§ 25.2 *Procedure*—(a) *Request for review.* (1) The discharged person should submit a petition for a review to the Board, with the certificate of discharge or dismissal in question, if available, and such other statements or affidavits as he desires to present.

(2) When the request for review is submitted by a surviving spouse, next of kin, legal representative or guardian, satisfactory evidence of the required relationship must be submitted. If the discharged person is deceased or mentally incompetent an affidavit containing a statement to that effect and a statement giving the identity of the authorized representative must accompany the petition. The petition must be signed by the authorized representative.

(3) The request should state in brief: (i) The type of discharge or dismissal received; (ii) the full name, former rank or rating and the service or file number of the person whose discharge or dismissal is in question; (iii) the place to which any notices in connection with the review may be sent; (iv) the basis of the claim for review; (v) what action is desired of the Board; and (vi) whether the petitioner desires the review on basis of petition and accompanying papers or whether he desires to appear in person before the Board and/or be represented by counsel. (If counsel is desired, the petitioner should designate such counsel by name.)

(4) No request for review of a discharge or dismissal shall be valid unless filed within 15 years after such discharge or dismissal or within 15 years from 22 June 1944, whichever be the later.

4. Amend § 25.2 (c) to read as follows:

(c) *Methods of presenting case.* The petitioner may present his case:

(1) By affidavits and/or other documents. (See § 25.3 (a) (5) (iii).)

(2) In person, with or without counsel.

(3) By counsel.

(4) Of a combination of the above.

5. Amend § 25.2 (e) (2) to read as follows:

(2) Witnesses shall be subject to examination and/or cross-examination as appropriate, by the members of the Board, the petitioner, or his counsel.

6. Amend § 25.2 (g) by substituting the numerals "30" for the word "thirty" in line two.

7. Amend the first sentence of § 25.2 (j) (1) to read as follows: "The Board, in its review, shall consider as evidence all available records of the Navy Department, together with such evidence as may be submitted by the petitioner and/or his counsel."

8. Amend § 25.2 (k) to read as follows:

(k) *Records.* (1) Records of the Board shall be open to the Veterans' Administration.

(2) Upon application in person at the office of the Board of Review, the Board may furnish to a petitioner or his counsel such information from the official records pertaining to a discharge or dismissal as may be necessary in order to permit of a fair and impartial review. However, classified matter of the Navy Department will not be disclosed or made available to the applicant or his counsel. When it is necessary in the interests of justice to acquaint the applicant with the substance of such matter, the Board will obtain and make available to the petitioner or his counsel such summary of the classified matter as may be in the judgment of the Board relevant to the case and as will not be incompatible with the public interest.

(3) The Board will not furnish copies of the Record of Review of Discharge or copies of official records in its custody except as the Secretary of the Navy may direct. The records of the Board in a particular case are available for inspection (except classified matter) by the petitioner thereof or his duly authorized representative in the offices of the Board.

9. Amend § 25.3 *Action by the Board* by changing in paragraph (d) the period at the end to a comma and adding thereafter the following: "or, if no longer available, the type of certificate that has since superseded it."

10. Amend § 25.3 (e) to read as follows:

(e) *Order.* A written order based on the decision shall be prepared for transmittal to the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, and signed by the President of the Panel.

11. Amend § 25.3 (f) (1) to read as follows:

(1) When the Board has completed its proceedings, the Secretary of the Panel shall prepare a complete original record thereof. Such record shall include the request for review, a transcript of the hearing, if any; affidavits, papers and documents considered by the Board exclusive of official Navy Department records; all briefs and written arguments filed in the case; the record of Review of Discharge and order of the Board; any minority report prepared by dissenting members of the Board, and all other papers and documents necessary to reflect a true and complete history of the proceedings.

12. Amend § 25.4 (a) to read as follows:

§ 25.4 *Review by the Secretary of the Navy*—(a) *Transmittal of record.* The original record of Review of Discharge in each case shall be transmitted forthwith by the President of the Board of Review, Discharges and Dismissals, to the Secretary of the Navy for final review.

13. Amend § 25.4 (b) (3) to read as follows:

(b) *Action by the Secretary of the Navy.* * * *

(3) The Secretary of the Navy, after his final action, will return the record to the Board of Review. The Board will notify the petitioner of the action taken in his case, then forward the Record of Review and order to the Chief of Naval Personnel or Commandant of the Marine Corps, whichever the case may be, for the following administrative acts:

(i) Carry out the order of the Board of Review in respect to the discharge or dismissal in question.

(ii) Place the Board's order and the Record of Review in the service record.

14. Amend § 25.5 (e) (1) (i) and (ii) to read as follows:

§ 25.5 *The Panel.* * * *

(e) *Duties of Panel officers*—(1) *The President.* (i) The President of the Panel shall, from time to time, constitute boards charged with the review functions over discharges and dismissals of Navy and Marine Corps personnel, as required by section 301 of Public Law 346, Seventy-eighth Congress.

(ii) He shall designate a Secretary for the Panel, recorders for each of the several boards and petitioners' representatives when requested by petitioners.

15. Amend § 25.5 (e) (2) (ii) to read as follows:

(2) *Secretary.* * * *

(ii) He shall keep the records of the Panel.

16. Amend § 25.6 (a) to read as follows:

§ 25.6 *The Board*—(a) *Members.* A Board of Review shall consist of five members, and at least three of the five members of each board should belong to the branch of the naval service (Navy or Marine Corps) from which the person whose case is being reviewed was discharged or dismissed.

17. Amend § 25.6 (d) (1) (ii) and (iii) to read as follows:

(d) *Duties*—(1) *Board.* * * *

(ii) In the event the petitioner does not appear in person or by counsel, the Board shall review the case on the basis of documentary or oral evidence presented by or on behalf of the petitioner and the official records.

(iii) In the event the petitioner appears in person or by counsel, the Board shall assemble to hear evidence offered by or on behalf of the petitioner and the official records. After the conclusion of such hearings, the Board shall, as soon as practicable, arrive at their findings, conclusions and decision. Based thereon, the Board shall prepare its record of review of discharge.

18. Amend § 25.6 (d) (3) (i) and (ii) to read as follows:

(3) *Recorder.* * * *

(i) Carefully summarize and present the official record of the discharged person.

(ii) Prepare the Record of Review of Discharge of the Board.

19. Amend § 25.7 to read as follows:

§ 25.7 *Representatives; petitioner's representative.* In those instances where petitioner is without counsel, a member of the Panel will be appointed to act as the petitioner's representative. The petitioner's representative shall:

(a) Submit pertinent evidence in the petitioner's behalf in proper documentary form, or orally.

(b) Submit to the recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

20. Amend § 25.8 to read as follows:

§ 25.8 *Correspondence; addressing of requests.* (a) A request for review of a discharge or dismissal with the view of having it changed, corrected, or modified should be addressed to:

Board of Review, Discharges and Dismissals,
Navy Department, Washington, D. C.

(b) A request for other purposes, such as permission to reenlist or extract of records, should be addressed to the appropriate address indicated below, depending on whether the person in question was formerly in the United States Navy or United States Marine Corps:

The Chief of Naval Personnel,
Navy Department, Washington, D. C.
or
The Commandant of the Marine Corps,
Navy Department, Washington, D. C.

(Sec. 301, 58 Stat. 284; 38 U. S. C. Sup. 693h)

JOHN NICHOLAS BROWN,
Acting Secretary of the Navy.

[F. R. Doc. 48-2411; Filed, Mar. 19, 1948; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 458]

ALASKA

MODIFYING EXECUTIVE ORDER NO. 2242 OF AUGUST 31, 1915, AND RESERVING CERTAIN LANDS FOR THE USE OF THE ALASKA ROAD COMMISSION AS AN ADMINISTRATIVE SITE

By virtue of the authority vested in the President and the act of March 12, 1914, 38 Stat. 305 (48 U. S. C. 303) and pursuant to Executive Order No. 9337 of April 24, 1943 (3 CFR, Cum. Supp.) it is ordered as follows:

Executive Order No. 2242 of August 31, 1915, withdrawing and reserving certain lands in Alaska for town site purposes is hereby modified to the extent necessary to permit the following-described lands to be used by the Alaskan Road Commission as an administrative site, and such lands are reserved and set apart for such use:

Blocks 29A and 29B;
Blocks 29C and 29D, the north 200 feet;
Block 30A;
Block 30B, lots 3 and 4; as shown on the supplemental plat of the East Addition to Anchorage, approved February 13, 1941.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

MARCH 12, 1948.

[F. R. Doc. 48-2409; Filed, Mar. 19, 1948; 8:52 a. m.]

Chapter II—Bureau of Reclamation: Department of the Interior

PART 401—APPLICATIONS FOR ENTRY ON PUBLIC LANDS AND WATER RENTAL

IDAHO, OREGON, CALIFORNIA, AND ARIZONA

CROSS REFERENCE: For public notice of opening public lands to entry and announcing availability of water in the Payette Division, Boise Project, Idaho, Klamath Project Part 2, Tule Lake Division, Oregon-California, and Yuma Project, Valley and Reservation Divisions, Arizona-California, see Federal Register Documents 48-2419, 48-2420, and 48-2421 under Department of the Interior, Bureau of Reclamation, in the Notices section, *infra.*

PART 402—ANNUAL WATER CHARGES

KLAMATH IRRIGATION PROJECT, OREGON-CALIFORNIA

CROSS REFERENCE: For addition to the tabulation in § 402.2, see Federal Register Document 48-2418 under Department of the Interior, Bureau of Reclamation, in the Notices section, *infra.*

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—SHIP RADIO SERVICE

PART 13—COMMERCIAL RADIO OPERATORS

MISCELLANEOUS AMENDMENTS

In the matter of amendment of Parts 8 and 13 of the Commission's rules and regulations governing the Ship Service and Commercial Radio Operators, respectively.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of March 1948;

The Commission having under consideration (1) its action of December 15, 1947, under the provisions of section 318 of the Communications Act of 1934, as amended, temporarily waiving, subject to certain provisions, the requirement of licensed radio operators for ship radar stations licensed in the Ship Service, until March 15, 1948, or the effective date of permanent rules adopted by the Commission governing operator license requirements for such stations, whichever date occurred earlier; (2) its action of December 15, 1947, amending Parts 8 and 13 of the Commission's rules governing the Ship Service and Commercial Radio Operators, respectively, so as to provide temporary rules in line with and of the same duration as the aforesaid temporary waiver and (3) a proposal to extend the duration of the aforesaid waiver and the aforesaid temporary rules to June 15, 1948, or the effective date of permanent rules governing operator license requirements for ship radar stations licensed in the Ship Service, whichever is earlier;

It appearing, that, although it was anticipated at the time of the above-described Commission actions of December 15, 1947, that such permanent rules would be adopted and made effective prior to March 15, 1948, yet such rules will not be adopted by the Commission until a date beyond March 15, 1948; and

It further appearing, that pending the final adoption of permanent rules governing operator license requirements as aforesaid, it is necessary to continue beyond March 15, 1948, the temporary rules governing operator license requirements for ship radar stations licensed in the Ship Service, and since the need for the continuance of the temporary rules is immediate, the public notice and procedure provided for in section 4 of the Administrative Procedure Act is found to be impracticable herein, and for the same reasons, and because the extension of the temporary rules in question will relieve a restriction, such extension should be made effective immediately; and

It further appearing, that, unless the waiver hereinabove referred to of the requirements of section 318 of the Act is extended, the provisions of that section will, after March 15, 1948, require ship radar stations licensed in the Ship Service to be operated by licensed radio operators; and

It further appearing, that under the provisions of section 318 aforesaid, the Commission may waive the requirement of licensed radio operators for ship radar stations licensed in the Ship Service if the Commission first shall find that such a waiver will serve the public interest, convenience, or necessity; and

It further appearing, that under Commission Order 133, dated May 10, 1946, the Commission waived to a limited extent the licensed radio operator requirements of section 318 aforesaid with regard to shipboard radar stations licensed in the Experimental Service; and

It further appearing, that during the interim period preceding the final adoption and effectiveness of permanent rules governing operator license requirements for ship radar stations licensed in the Ship Service, radar stations so licensed can be as well operated by unlicensed personnel as can radar stations licensed in the Experimental Service; and

It further appearing, that under the foregoing circumstances it will serve the public interest and convenience temporarily to waive, to the same extent as now provided in the Experimental Service by Order 133, the licensed radio operator requirements with regard to ship radar stations licensed in the Ship Service; and

It further appearing, that authority to accomplish the aforesaid objective is contained in sections 303 (f), (g) (1), and 318 of the Communications Act of 1934, as amended;

It is ordered, That, effective March 15, 1948 the provisions of section 318, aforementioned, are hereby waived insofar as such provisions require any person to hold a radio operator license issued by this Commission in order to operate ship radar stations licensed by this Commission in the Ship Service, *Provided,* That this waiver shall extend only to the normal operation of such radar stations on board ship and shall not be construed to permit unlicensed personnel to make any adjustments or to do any servicing or maintenance that may effect the proper operation of the station; *Provided further* That this waiver shall not be construed to affect in any way the responsibility of the station licensee for the proper operation of the station; and provided further that the waiver herein ordered may, in the discretion of the Commission and without advance notice or hearing, be changed or cancelled by order of the Commission, and shall in no event extend beyond the effective date of permanent rules adopted by the Commission governing operator license requirements for ship radar stations licensed in the Ship Service, or beyond June 15, 1948 whichever is earlier.

It is further ordered, That Parts 8 and 13 of the Commission's rules governing Ship Service and Commercial Radio Operators, respectively, are hereby, effective March 15, 1948, amended as follows:

1. Footnote 71 to § 8.195 is amended as follows:

a. By inserting immediately after the phrase "December 15, 1947," and immediately preceding the phrase "of the provisions * * *" a new phrase to read "and a second temporary waiver effective March 15, 1948"

b. By deleting in the last sentence thereof the phrase "March 15, 1948" and substituting therefor the phrase "June 15, 1948"

2. Footnote 1 (c) to § 13.1 is amended as follows: By inserting immediately after the phrase "December 15, 1947" and immediately preceding the phrase "the Commission temporarily waived * * * the new phrase "and by a second order dated March 12, 1948, and effective March 15, 1948"

(Secs. 303 (f) (g) (i) 318, 48 Stat. 1082, 1089; 50 Stat. 56; 47 U. S .C. 303 (f) (g) (i) 318)

Released: March 15, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-2432; Filed, Mar. 19, 1948; 8:57 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chaper II—Office of Defense Transportation

[Gen. Order ODT 69]

PART 500—CONSERVATION OF RAIL EQUIPMENT

RESTRICTIONS ON PASSENGER AND SPECIAL TRAIN SERVICE

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, as amended, and Executive Order 9919, in order to conserve and providently utilize vital transportation equipment, materials, and supplies; to provide for the preferential transportation of material of war and for the prompt and continuous movement of other necessary traffic, the attainment of which purposes is essential to the war effort; and it being deemed necessary in the public interest and to promote the national defense, by reason of the short supply of coal, to restrict the operation of the mileage of coal-burning locomotives engaged in passenger transportation service, *It is hereby ordered,* That:

Sec.
500.115 Restrictions on certain passenger and special train operations.
500.116 Restrictions on circus and other trains.
500.117 Cancellation of reservations.
500.118 Special and general permits.
500.119 Communications.

AUTHORITY: §§ 500.115 to 500.19, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641; E. O. 9919, Jan. 3, 1948, 13 F. R. 59.

§ 500.115 *Restrictions on certain passenger and special train operations.* (a) No common carrier by railroad engaged in the transportation of passengers within the continental United States shall on and after 11. 59 o'clock p. m., March 21, 1948, and until further order of the Office of Defense Transportation, operate a total daily coal-burning passenger service locomotive mileage in excess of 75 per cent of the total coal-burning passenger service locomotive mileage operated by it on March 1, 1948, nor shall any such common carrier by railroad offset the reduction in coal-burning passenger service locomotive mileage herein ordered by using other than coal-burning locomotives in the operation of passenger train service performed with coal-burning locomotives on March 1, 1948.

(b) Except under special permit issued by the Director of the Railway Transport Department, Office of Defense Transportation, no common carrier by railroad subject to the provisions of this order shall operate or participate in the operation of any special passenger train the operation of which involves the use on any portion of its route of coal-burning locomotive power.

(c) Except under special permit issued by the Director of the Railway Transport Department, Office of Defense Transportation, no common carrier by railroad subject to the provisions of this order which has reduced its total daily coal-burning passenger service locomotive mileage by more than 25 per cent of the total coal-burning passenger service locomotive mileage operated by it on March 1, 1948, shall use any portion of such reduction for the operation of any special passenger train.

(d) The term "special passenger train" as used in this section means any passenger train not shown in current time-tables.

§ 500.116 *Restrictions on circus and other trains.* On and after 11:59 o'clock p. m., March 21, 1948, and until further order of the Office of Defense Transportation, no common carrier by railroad shall transport within the continental United States any circus train, carnival train, or any other train in respect of which it is not required, as a common carrier, to transport.

§ 500.117 *Cancellation of reservations.* Each common carrier by railroad shall forthwith cancel such passenger reservations and take such other action as may be necessary to carry out the terms and purposes of this order.

§ 500.118 *Special and general permits.* The provisions of this general order shall be subject to any special or general permit issued by the Director of the Railway Transport Department, Office of Defense Transportation, to meet specific needs or exceptional circumstances, or to prevent undue public hardships.

§ 500.119 *Communications.* Communications concerning this order should refer to "General Order ODT 69" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

Issued at Washington, D. C., this 18th day of March 1948.

HOLLIS C. KING,
Deputy Director
Office of Defense Transportation.

[F. R. Doc. 48-2473; Filed, Mar. 19, 1948; 9:00 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 319]

IMPORTATION OF MAIZE, BROOMCORN, AND RELATED PLANTS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given under section 4 (a) of the Administrative Procedure Act (60 Stat. 237) that the United States Department of Agriculture proposes to amend § 319.41–3 of the regulations supplemental to the quarantine restricting importation of Indian corn or maize, broomcorn, and related plants (Regulation 3, Notice of Quarantine No. 41, 7 CFR § 319.41–3) effective October 1, 1948, to read as follows:

§ 319.41–3 *Issuance of permits.* On approval by the Chief of the Bureau of Entomology and Plant Quarantine of the application mentioned in § 319.41–2, a permit will be issued.

For broomcorn and brooms and similar articles made of broomcorn, permits will be issued by the Chief of the Bureau of Entomology and Plant Quarantine for such ports as may be designated therein, except that permits will be issued for the entry of broomcorn originating in countries other than those in the North or South American Continents or the West Indies only through the ports of Baltimore, Boston, and New York, or through other northeastern ports which may from time to time be designated in the permit, and at which facilities for treatment of infested material may be available, such entry to be limited to the five months' period between October 1 of any year and the end of February of the succeeding year, both dates inclusive. Permits will not be issued for the entry of broomcorn from any source through ports on the Pacific coast.

For shelled corn and for seeds of other plants listed in § 319.41, and for corn on the cob, green or mature, from the land areas designated in § 319.41–1 (b) (2) permits will be issued for ports where the Bureau of Entomology and Plant Quarantine maintains an inspection service and for such other ports as may be designated in the permit.

The above proposed amendment would have the effect of limiting the entry of broomcorn from countries and localities other than those in the North and South American Continents and the West Indies to northeastern ports where facilities for treatment of infested material are available, and of limiting such entry to the period October to February, inclusive.

Limitation of such importations to northeastern ports and to the five colder months of the year is for the purpose of minimizing the risk of introducing injurious insects in imported material. Both larvae and pupae of the European corn borer and of Sesamia cretica Led., the latter a destructive pest of broomcorn and related plants not known to occur on the American Continents or in the West Indies, have been intercepted on shipments of broomcorn from Europe. Shipments during the past shipping season were unusually heavily infested. In one instance adults of both species were observed flying about the holds of a vessel in which broomcorn arrived from Italy. Observations made in connection with these heavily infested shipments demonstrated that there is a definite risk of pests, particularly S. cretica, escaping from imported broomcorn before it can be treated. Each lot of imported broomcorn arriving at New York, for example, is often handled several times before it is either fumigated or exported. There is a possibility of insects escaping as a result of breakage and delays during such handling. Such accidental escapage as might occur at northeastern ports from October to February would be inconsequential, since the probability of the insects becoming established there is quite remote due to the absence of food plants and the low temperatures at that time of year.

Permits are not issued at the present time for the entry of broomcorn from any source through ports on the West Coast because of the danger of introducing pests of broomcorn and related plants into the States of California, Oregon and Washington. These States maintain quarantines against the European corn borer and are apparently free from that insect as well as certain other pests likely to accompany importations of broomcorn. The proposed amendment, therefore, would merely formalize the practice which is now being followed administratively with respect to the refusal of permits for the entry of broomcorn through West Coast ports.

It is proposed to delay the effective date of this amendment until October 1, 1948. This is to allow importers who have already made commitments for the importation of broomcorn during this summer to bring in such material under supervision of the Bureau of Entomology and Plant Quarantine.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 5, act of August 20, 1912, 37 Stat. 316; 7 U. S. C. 159)

Done at Washington, D. C., this 17th day of March 1948.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLINTON P ANDERSON,
Secretary of Agriculture.

[F R. Doc. 48–2423; Filed, Mar. 19, 1948; 8:50 a. m.]

NOTICES

DEPARTMENT OF STATE

[Public Notice DA–1024]

JAPANESE DIPLOMATIC AND CONSULAR PROPERTY WITHIN THE UNITED STATES

GENERAL SUPERVISORY ORDER

By virtue of the authority vested in me by Executive Order 9760 (11 F. R. 7999) as amended by Executive Order 9788 (11 F R. 11981) and pursuant to law (R. S. 161, 5 U. S. C. 22) the undersigned, after appropriate investigation and consultation, finding:

(1) That, at the direction of the Japanese Government, the Government of Switzerland, charged with the protection of Japanese interests in the United States, released to the United States Government certain properties within the United States owned or controlled by Japan or former officials of Japan, including all assets on the premises of such property;

(2) That the property referred to in subparagraph (1) hereof consists of that property released to the Department of State by the Legation of Switzerland under the protocol signed at Washington, D. C., on December 20, 1945, upon the occasion of the termination by the Government of Switzerland of its representation of Japanese interests in the United States; and

(3) That it is necessary in the national interest:

hereby undertakes the direction, management, supervision, maintenance, and control, to the extent deemed necessary and advisable from time to time by the undersigned, such of the property referred to herein as is diplomatic or consular property.

The action herein taken shall not be construed to limit the power of the Secretary of State to vary the extent of such direction, management, supervision, maintenance, or control, or to terminate the same.

Approved: March 17, 1948.

G. C. MARSHALL,
Secretary of State.

[F. R. Doc. 48–2431; Filed, Mar. 19, 1948; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 2090671]

ALASKA

SHORE SPACE RESTORATION ORDER NO. 398

MARCH 11, 1948.

Pursuant to the provisions of the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR 4.275 (a) (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), it is ordered as follows:

The following described tract of public land in Alaska occupied as a headquarters site for a fishing business, is hereby released from the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409) as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371) and restored, subject to valid existing rights and the provisions of existing withdrawals, to application and purchase under the act of March 3, 1927 (44 Stat. 1364, 48 U. S. C. 461)

A tract of land on Nushagak Bay described as commencing at Corner No. 1 which is identical with meander Corner No. 2 of U. S. Survey 1920, thence northerly along the line of U. S. Survey 1920 to Corner No. 2 which is identical with Corner No. 1 of U. S. Survey 1921, thence easterly along the south line of U. S. Survey 1921 for an approximate distance of 17.8 feet and to the west line of U. S. Survey No. 2541 to Corner No. 3, thence south 2°02' west along the west line of U. S. Survey No. 2541 to Corner No. 4 which is identical with meander Corner No. 1 of U. S. Survey No. 2541, thence westerly along the beach for an approximate distance of 30.7 feet to Corner No. 1 and point of beginning. This area contains approximately 3167 square feet (application for headquarters site, Anchorage 011081, of Chris B. Danielson).

THOS. C. HAVELL,
Assistant Director.

[F. R. Doc. 48-2408; Filed, Mar. 19, 1948; 8:52 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO PUBLIC LAND ORDER NO. 458, MODIFYING EXECUTIVE ORDER NO. 2242 OF AUGUST 31, 1915, AND RESERVING CERTAIN LANDS FOR USE OF ALASKA ROAD COMMISSION AS AN ADMINISTRATIVE SITE

Notice is hereby given that for a period of 90 days from the date of publication of this notice, persons having cause to object to the terms of Public Land Order No. 458, of March 12, 1948, reserving Blocks 29A and B, the north 200 feet of Blocks 29C and 29D, Block 30A, and lots 3 and 4 of Block 30B, as shown on the supplemental plat of the East Addition to Anchorage, approved February 13, 1941, for use by the Alaska Road Commission as an administrative site, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

MARCH 12, 1948.

[F. R. Doc. 48-2410; Filed, Mar. 19, 1948; 8:52 a. m.]

Bureau of Reclamation

[No. 38]

PAYETTE DIVISION, BOISE PROJECT, IDAHO

PUBLIC NOTICE OF AVAILABILITY OF WATER

FEBRUARY 27, 1948.

1. Pursuant to the provisions of Article 17 of the contract of October 3, 1927, between the United States of America and the Black Canyon Irrigation District, as amended by the contract of July 15, 1936, notice is hereby given that water from the works of the Payette Division of the Boise Project will be available beginning the first of the 1948 irrigation season to the following described irrigable lands in the Black Canyon Irrigation District:

LEGAL DESCRIPTION	*Irrigable area (acres)*
T. 5 N., R. 3 W., B. M.	
Sec. 5:	
Lot 4	12
SW¼NW¼	3
Sec. 6:	
Lot 1	18
Lot 2	14
SW¼NE¼	33
SE¼NE¼	29
Lot 3	17
Lot 4	27
Lot 5	40
SE¼NW¼	30
NE¼SW¼	12
NW¼SW¼	37
SW¼SW¼	29
SE¼SW¼	2
NE¼SE¼	4
NW¼SE¼	23
Sec. 7:	
NE¼NW¼	6
Lot 1	33
Sec. 19:	
SE¼NW¼	9
NE¼SW¼	29
Lot 4	6
SE¼SW¼	35
NE¼SE¼	25
NW¼SE¼	33
SW¼SE¼	21
SE¼SE¼	25
SE¼NE¼	21
SW¼NE¼	29
Sec. 30:	
SW¼NE¼	5
NE¼NW¼	5
Lot 1	37
Lot 2	40
SE¼NW¼	33
NE¼SW¼	20
Lot 3	7
NE¼SE¼	5
NW¼SE¼	34
SW¼SE¼	23
SE¼SE¼	14

LEGAL DESCRIPTION—Continued

	Irrigable area (acres)
T. 5 N., R. 3 W., B. M.—Con.	
Sec. 31:	
NE¼NE¼	31
NW¼NE¼	6
SE¼NE¼	6
Sec. 32: SW¼NW¼	13
T. 5 N., R. 4 W., B. M..	
Sec. 1:	
Lot 1	31
Lot 2	14
SW¼NE¼	10
SE¼NE¼	33
SE¼SW¼	27
NE¼SE¼	37
NW¼SE¼	30
SW¼SE¼	34
SE¼SE¼	31
Sec. 2:	
SE¼NW¼	22
NE¼SW¼	25
SE¼SW¼	16
NW¼SE¼	12
SW¼SE¼	32
Sec. 6:	
NE¼SW¼	3
Lot 6	18
Lot 7	23
SE¼SW¼	14
Sec. 7:	
NW¼NE¼	1
SW¼NE¼	23
SE¼NE¼	9
NE¼NW¼	34
Lot 1	23
Lot 2	27
SE¼NW¼	39
NE¼SW¼	38
Lot 3	25
Lot 4	24
SE¼SW¼	39
NE¼SE¼	33
NW¼SE¼	33
SW¼SE¼	39
SE¼SE¼	36
Sec. 8:	
SW¼NE¼	8
SW¼NW¼	17
NE¼SW¼	31
NW¼SW¼	29
SW¼SW¼	35
SE¼SW¼	31
NW¼SE¼	13
SW¼SE¼	33
SE¼SE¼	22
Sec. 9:	
NE¼SW¼	4
NW¼SW¼	8
SW¼SW¼	32
SE¼SW¼	34
NE¼SE¼	24
SW¼SE¼	25
SE¼SE¼	32
Sec. 10:	
NW¼NE¼	1
SW¼NE¼	29
SE¼NE¼	5
NW¼NW¼	2
SW¼NW¼	6
NE¼SW¼	15
NW¼SW¼	24
SW¼SW¼	23
SE¼SW¼	32
NE¼SE¼	26
NW¼SE¼	22
SW¼SE¼	32
SE¼SE¼	33
Sec. 11:	
NE¼NE¼	18
NW¼NE¼	25
SW¼NE¼	19
SE¼NE¼	37
NE¼SW¼	22
NW¼SW¼	16
SW¼SW¼	38
SE¼SW¼	37
NE¼SE¼	34
NW¼SE¼	36
SW¼SE¼	33
SE¼SE¼	29

LEGAL DESCRIPTION—Continued

T. 5 N., R. 4 W., B. M.—Con.	Irrigable area (acres)
Sec. 12:	
NE¼NE¼	29
NW¼NE¼	38
SW¼NE¼	32
SE¼NE¼	25
NE¼NW¼	36
NW¼NW¼	6
SW¼NW¼	27
SE¼NW¼	28
NE¼SW¼	37
NW¼SW¼	36
SW¼SW¼	26
SE¼SW¼	19
NE¼SE¼	21
NW¼SE¼	20
SW¼SE¼	10
SE¼SE¼	9
Sec. 13:	
NW¼NE¼	10
SW¼NE¼	18
NE¼NW¼	23
NW¼NW¼	5
SW¼NW¼	26
SE¼NW¼	29
NE¼SW¼	16
NW¼SW¼	4
Sec. 14:	
NW¼NE¼	5
SW¼NE¼	26
SE¼NE¼	29
NW¼NW¼	15
NE¼SW¼	3
SW¼SW¼ (lot 4)	14
SE¼SW¼ (lot 3)	10
NE¼SE¼	27
NW¼SE¼	13
SW¼SE¼ (lot 2)	27
SE¼SE¼ (lot 1)	28
Sec. 15:	
NE¼NE¼	22
NW¼NE¼	38
SW¼NE¼	6
NE¼NW¼	37
NW¼NW¼	33
SW¼NW¼	23
SE¼NW¼	26
Sec. 16:	
NE¼NE¼	34
NW¼NE¼	38
SW¼NE¼	37
SE¼NE¼	37
NE¼NW¼	34
NW¼NW¼	38
SE¼NW¼	39
NE¼SW¼	31
NW¼SW¼	37
SW¼SW¼ (lot 4)	24
SE¼SW¼ (lot 3)	21
NE¼SE¼	38
NW¼SE¼	37
SW¼SE¼ (lot 2)	10
SW¼NW¼	39
Sec. 17:	
NE¼NE¼	30
NW¼NE¼	36
SW¼NE¼	37
SE¼NE¼	34
NE¼NW¼	34
NW¼NW¼	38
SW¼NW¼	39
SE¼NW¼	38
NE¼SW¼	39
NW¼SW¼	38
SW¼SW¼ (lot 4)	39
SE¼SW¼ (lot 3)	38
NE¼SE¼	37
NW¼SE¼	38
SW¼SE¼ (lot 2)	33
SE¼SE¼ (lot 1)	34
Sec. 18:	
NE¼NE¼	35
NW¼NE¼	38
SW¼NE¼	39
SE¼NE¼	37
NE¼NW¼	38
Lot 1	23
Lot 2	26
SE¼NW¼	40
NE¼SW¼	40

LEGAL DESCRIPTION—Continued

T. 5 N., R. 4 W., B. M.—Con.	Irrigable area (acres)
Sec. 18—Con.	
Lot 3	26
Lot 4	12
SE¼SW¼ (Lot 5)	21
NW¼SE¼	39
SW¼SE¼ (Lot 6)	42
SE¼SE¼ (Lot 7)	41
NE¼SE¼	38
Sec. 19:	
NE¼NE¼	13
NW¼NE¼	8
Sec. 20:	
NE¼NW¼	10
NW¼NW¼	14
NW¼NE¼	3
Sec. 22:	
NE¼NE¼	27
NW¼NE¼	23
SW¼NE¼	27
SE¼NW¼	34
NE¼NW¼	20
NW¼NW¼	3
SW¼NW¼	20
SE¼NW¼	37
Sec. 23:	
NE¼NE¼	37
NW¼NE¼	38
SW¼NE¼	38
SE¼NE¼	36
NE¼NW¼	38
NW¼NW¼	38
SW¼NW¼	36
SE¼NW¼	38
NE¼SW¼	15
SE¼SW¼	5
NE¼SE¼	27
NW¼SE¼	27
SW¼SE¼	20
SE¼SE¼	9
Sec. 24:	
NW¼NW¼	14
SW¼NW¼	29
SE¼NW¼	3
NE¼SW¼	26
NW¼SW¼	35
SW¼SW¼	35
SE¼SW¼	21
NE¼SE¼	10
NW¼SE¼	18
SW¼SE¼	7
Sec. 25:	
NE¼NE¼	12
SE¼NE¼	25
NE¼NW¼	4
NW¼NW¼	26
SW¼NW¼	2
NE¼SE¼	12
Sec. 26:	
NE¼NE¼	11
SE¼NE¼	2
T. 5 N., R. 5 W., B. M.:	
Sec. 1.	
SW¼NE¼	20
SE¼NE¼	2
Lot 3	9
Lot 4	18
SW¼NW¼	40
SE¼NW¼	39
NE¼SW¼	40
NW¼SW¼	39
SW¼SW¼	36
SE¼SW¼	38
NE¼SE¼	31
NW¼SE¼	39
SW¼SE¼	37
SE¼SE¼	37
Sec. 2:	
Lot 1	22
Lot 2	36
SW¼NE¼	41
SE¼NE¼	38
Lot 3	42
Lot 4	32
SW¼NW¼	37
SE¼NW¼	40
NE¼SW¼	38
NW¼SW¼	39
SW¼SW¼	4

LEGAL DESCRIPTION—Continued

T. 5 N., R. 5 W., B. M.—Con.	Irrigable area (acres)
Sec. 2—Con.	
NE¼SE¼	39
NW¼SE¼	33
SE¼SE¼	25
SW¼SE¼	32
Sec. 3:	
Lot 1	40
Lot 2	42
SW¼NE¼	34
SE¼NE¼	33
Lot 3	39
Lot 4	21
NE¼SE¼	28
Sec. 4: Lot 2	50
Sec. 11. NE¼NE¼	5
Sec. 12:	
NE¼NE¼	38
NW¼NE¼	39
SW¼NE¼	41
SE¼NE¼	40
NE¼NW¼	38
NW¼NW¼	37
SW¼NW¼	20
SE¼NW¼	40
NE¼SW¼	40
NW¼SW¼	10
SE¼SW¼	17
NE¼SE¼	36
NW¼SE¼	30
SW¼SE¼	38
SE¼SE¼	39
Sec. 13:	
NE¼NE¼	38
NW¼NE¼	32
SW¼NE¼	34
SE¼NE¼	39
NE¼SE¼	35
NW¼SE¼	4
T. 6 N., R. 3 W., B. M..	
Sec. 6:	
Lot 3	12
Lot 4	6
Lot 5	10
Sec. 19:	
Lot 2	2
NE¼SW¼	4
Lot 3	8
Lot 4	4
SE¼SW¼	13
Sec. 30:	
NE¼NW¼	23
SE¼NW¼	31
NE¼SW¼	36
Lot 3	10
Lot 4	18
SE¼SW¼	37
SW¼SE¼	19
Lot 2	10
Sec. 31.	
NW¼NE¼	14
SW¼NE¼	12
NE¼NW¼	31
Lot 1	20
Lot 2	24
SE¼NW¼	29
NE¼SW¼	27
Lot 3	31
Lot 4	37
SE¼SW¼	29
NW¼SE¼	12
SW¼SE¼	4
T. 6 N., R. 4 W., B. M..	
Sec. 1.	
Lot 1	14
SE¼NE¼	15
NE¼SE¼	8
SE¼SE¼	8
Sec. 24.	
SE¼NE¼	2
NE¼SE¼	3
Sec. 36:	
NE¼SE¼	3
SE¼SE¼	17
T. 6 N., R. 5 W., B. M..	
Sec. 2: Lot 1	4
Sec. 3:	
SW¼NW¼	10
SE¼NW¼	13

LEGAL DESCRIPTION—Continued

T. 6 N., R. 5 W., B. M.—Con.	*Irrigable area (acres)*
Sec. 3—Con.	
NE¼SW¼	4
NW¼SE¼	14
Sec. 4:	
Lot 1	13
Lot 2	23
SW¼NE¼	30
SE¼NE¼	21
Lot 3	28
Lot 4	28
SW¼NW¼	37
SE¼NW¼	35
NE¼SW¼	39
NW¼SW¼	37
SW¼SW¼	35
SE¼SW¼	38
NE¼SE¼	28
NW¼SE¼	39
SW¼SE¼	37
SE¼SE¼	31
Sec. 5:	
Lot 1	30
Lot 2	35
Lot 4	24
SW¼NE¼	34
SE¼NE¼	38
Lot 3	36
Lot 5 (SW¼NW¼)	25
SE¼NW¼	39
NE¼SW¼	35
NW¼SW¼	18
SW¼SW¼	12
SE¼SW¼	22
NE¼SE¼	34
NW¼SE¼	40
SW¼SE¼	30
SE¼SE¼	14
Sec. 8:	
NE¼NE¼	29
NW¼NE¼	32
SW¼NE¼	37
SE¼NE¼	35
NE¼NW¼	26
SE¼NW¼	34
NE¼SW¼	35
Sec. 9:	
NE¼NE¼	34
NW¼NE¼	35
SW¼NE¼	24
SE¼NE¼	22
NE¼SW¼	36
SE¼SW¼	32
NE¼SE¼	14
NW¼SE¼	38
SW¼SE¼	21
SE¼SE¼	8
Sec. 10:	
NW¼NW¼	4
SW¼NW¼	11
SE¼NW¼	2
NW¼SW¼	8
SW¼SW¼	17
SE¼SW¼	11
Sec. 15:	
NE¼NW¼	11
Lot 2 (SW¼NW¼)	3
NW¼SW¼	19
Lot 4 (SW¼SE¼)	16
Sec. 16:	
NE¼NE¼	20
NW¼NE¼	26
SW¼NE¼	39
SE¼NE¼	8
NE¼NW¼	17
SE¼NW¼	23
NE¼SW¼	28
SW¼SW¼	8
SE¼SW¼	19
NE¼SE¼	30
NW¼SE¼	28
SW¼SE¼	37
SE¼SE¼	34
Sec. 20:	
NE¼NE¼	4
SW¼NE¼	5
SE¼NE¼	22
NE¼SE¼	33
NW¼SE¼	14
SW¼SE¼	14
SE¼SE¼	36

LEGAL DESCRIPTION—Continued

T. 6 N., R. 5 W., B. M.—Con.	*Irrigable area (acres)*
Sec. 21.	
NE¼NE¼	33
NW¼NE¼	30
SW¼NE¼	35
SE¼NE¼	37
NE¼NW¼	30
NW¼NW¼	35
SW¼NW¼	39
SE¼NW¼	40
NE¼SW¼	38
NW¼SW¼	38
SW¼SW¼	38
SE¼SW¼	37
NE¼SE¼	30
NW¼SE¼	30
SW¼SE¼	28
SE¼SE¼	16
Sec. 27:	
NE¼SE¼	5
NW¼SE¼	2
SW¼SE¼	21
SE¼SE¼	5
Sec. 28:	
NW¼NE¼	7
NE¼NW¼	38
NW¼NW¼	38
SW¼NW¼	37
SE¼NW¼	23
NE¼SW¼	12
NW¼SW¼	39
SW¼SW¼	38
SE¼SW¼	25
Sec. 29:	
NE¼NE¼	30
NW¼NE¼	31
SW¼NE¼	39
SE¼NE¼	33
NE¼SW¼	19
NW¼SW¼	7
SW¼SW¼	12
SE¼SW¼	35
NE¼SE¼	30
NW¼SE¼	32
SW¼SE¼	39
SE¼SE¼	36
Sec. 32:	
NE¼NE¼	30
NW¼NE¼	29
NE¼NW¼	8
Sec. 33:	
NE¼NE¼	33
NW¼NE¼	37
SW¼NE¼	40
SE¼NE¼	39
NE¼NW¼	38
NW¼NW¼	32
SW¼NW¼	2
SE¼NW¼	22
NE¼SE¼	39
NW¼SE¼	18
SE¼SE¼	39
Sec. 34:	
NW¼NE¼	29
SW¼NE¼	39
SE¼NE¼	25
NE¼NW¼	24
Lot 1 (NW¼NW¼)	22
Lot 2 (SW¼NW¼)	39
SE¼NW¼	38
NE¼SW¼	39
Lot 3 (NW¼SW¼)	28
Lot 4 (SW¼SW¼)	37
SE¼SW¼	39
NE¼SE¼	39
NW¼SE¼	39
SW¼SE¼	36
SE¼SE¼	37
Sec. 35:	
NE¼SW¼	24
NW¼SW¼	26
SW¼SW¼	30
SE¼SW¼	36
NW¼SE¼	16
SW¼SE¼	6
T. 7 N., R. 3 W., B. M.	
Sec. 29:	
NE¼SW¼	8
SW¼SW¼	37
SE¼SW¼	20

LEGAL DESCRIPTION—Continued

T. 7 N., R. 3 W., B. M.—Con	*Irrigable area (acres)*
Sec. 30:	
SW¼NE¼	16
Lot 1	29
Lot 2	36
SE¼NW¼	23
NE¼SW¼	33
Lot 3	30
Lot 4	16
SE¼SW¼	33
NE¼SE¼	36
NW¼SE¼	36
SW¼SE¼	40
SE¼SE¼	37
Sec. 31:	
NE¼NE¼	34
NW¼NE¼	40
SW¼NE¼	34
SE¼NE¼	33
NE¼NW¼	35
Lot 1	12
Lot 2	12
SE¼NW¼	33
NE¼SW¼	24
Lot 3	22
Lot 4	27
SE¼SW¼	9
NE¼SE¼	22
NW¼SE¼	27
SW¼SE¼	2
SE¼SE¼	4
Sec. 32:	
NE¼NW¼	16
NW¼NW¼	35
SW¼NW¼	23
SE¼NW¼	25
NE¼SW¼	27
NW¼SW¼	22
SW¼SW¼	7
SE¼SW¼	9
T. 7 N., R. 4 W., B. M.	
Sec. 7:	
Lot 2	30
SE¼NW¼	23
NE¼SW¼	33
Lot 3	41
Lot 4	36
SE¼SW¼	36
NE¼SE¼	25
NW¼SE¼	33
SW¼SE¼	36
SE¼SE¼	37
Sec. 8:	
NE¼SW¼	20
SW¼SW¼	33
SE¼SW¼	33
SW¼SE¼	36
Sec. 9:	
SW¼SW¼	21
SE¼SW¼	5
SE¼SE¼	5
Sec. 14:	
SW¼NW¼	14
NE¼SW¼	2
NW¼SW¼	18
SW¼SW¼	30
SE¼SW¼	23
Sec. 15:	
SE¼NE¼	30
NE¼SW¼	27
NW¼SW¼	32
SW¼SW¼	23
SE¼SW¼	34
NE¼SE¼	37
NW¼SE¼	32
SW¼SE¼	33
SE¼SE¼	31
Sec. 16:	
NE¼NE¼	29
NW¼NE¼	30
SW¼NE¼	42
SE¼NE¼	34
NE¼NW¼	41
NW¼NW¼	42
SW¼NW¼	41
SE¼NW¼	33
NE¼SW¼	41
NW¼SW¼	33
SW¼SW¼	34
SE¼SW¼	33
NE¼SE¼	36

LEGAL DESCRIPTION—Continued

T. 7 N., R. 4 W., B. M.—Con.	Irrigable area (acres)
Sec. 16—Con.	
NW¼SE¼	42
SW¼SE¼	39
SE¼SE¼	33
Sec. 17:	
NE¼NE¼	38
NW¼NE¼	38
SW¼NE¼	39
SE¼NE¼	38
NE¼NW¼	38
NW¼NW¼	38
SW¼NW¼	38
SE¼NW¼	39
NE¼SW¼	38
NW¼SW¼	36
SW¼SW¼	35
SE¼SW¼	38
NE¼SE¼	38
NW¼SE¼	39
SW¼SE¼	37
SE¼SE¼	36
Sec. 18:	
NE¼NE¼	35
NW¼NE¼	38
SW¼NE¼	37
SE¼NE¼	34
NE¼NW¼	32
Lot 1	35
Lot 2	27
SE¼NW¼	27
NE¼SW¼	24
Lot 3	19
NE¼SE¼	28
NW¼SE¼	33
SW¼SE¼	5
SE¼SE¼	15
Sec. 20:	
NE¼NE¼	28
NW¼NE¼	29
SW¼NE¼	8
SE¼NE¼	24
NE¼NW¼	20
NW¼NW¼	7
SE¼NW¼	6
Sec. 21:	
NE¼NE¼	34
NW¼NE¼	37
SW¼NE¼	40
SE¼NE¼	37
NE¼NW¼	39
NW¼NW¼	39
SW¼NW¼	35
SE¼NW¼	36
NE¼SW¼	38
NW¼SW¼	18
SW¼SW¼	12
SE¼SW¼	31
NE¼SE¼	34
NW¼SE¼	38
SW¼SE¼	28
SE¼SE¼	31
Sec. 22:	
NE¼NE¼	32
NW¼NE¼	36
SW¼NE¼	31
SE¼NE¼	27
NE¼NW¼	37
NW¼NW¼	34
SW¼NW¼	31
SE¼NW¼	36
NE¼SW¼	37
NW¼SW¼	35
SW¼SW¼	36
SE¼SW¼	34
NE¼SE¼	29
NW¼SE¼	26
SW¼SE¼	21
SE¼SE¼	28
Sec. 23:	
SW¼NE¼	35
NE¼SW¼	39
NW¼SW¼	27
SW¼SW¼	37
SE¼SW¼	38
NE¼SE¼	4
NW¼SE¼	39
SW¼SE¼	34
SE¼SE¼	35

LEGAL DESCRIPTION—Continued

T. 7 N., R. 4 W., B. M.—Con.	Irrigable area (acres)
Sec. 24:	
SE¼SW¼	29
SW¼SE¼	15
Sec. 25:	
NE¼NE¼	36
NW¼NE¼	35
SW¼NE¼	33
SE¼NE¼	37
NE¼NW¼	36
NW¼NW¼	37
SW¼NW¼	35
SE¼NW¼	37
NE¼SW¼	39
NW¼SW¼	35
SW¼SW¼	34
SE¼SW¼	36
NE¼SE¼	31
NW¼SE¼	31
SW¼SE¼	34
SE¼SE¼	29
Sec. 26:	
NE¼NE¼	36
NW¼NE¼	39
SW¼NE¼	40
SE¼NE¼	38
NE¼NW¼	31
NW¼NW¼	24
SW¼NW¼	36
SE¼NW¼	40
NE¼SW¼	39
NW¼SW¼	37
SW¼SW¼	36
SE¼SW¼	36
NE¼SE¼	38
NW¼SE¼	38
SW¼SE¼	36
SE¼SE¼	37
Sec. 27:	
NE¼NE¼	19
NW¼NE¼	23
SW¼NE¼	27
SE¼NE¼	16
NE¼NW¼	22
NW¼NW¼	36
SW¼NW¼	27
SE¼NW¼	35
NE¼SW¼	35
NW¼SW¼	37
SW¼SW¼	10
SE¼SW¼	26
NE¼SE¼	29
NW¼SE¼	28
SW¼SE¼	24
SE¼SE¼	35
Sec. 28:	
NE¼NE¼	31
NW¼NE¼	12
SW¼NE¼	24
SE¼NE¼	20
SE¼NW¼	7
NE¼SE¼	12
Sec. 34:	
NE¼NE¼	19
NW¼NE¼	14
NE¼NW¼	16
SE¼NW¼	28
NE¼SW¼	14
NW¼SW¼	13
SW¼SW¼	7
SE¼SW¼	9
Sec. 35:	
NE¼NE¼	39
NW¼NE¼	35
SW¼NE¼	34
SE¼NE¼	40
NE¼NW¼	37
NW¼NW¼	37
SW¼NW¼	17
SE¼NW¼	29
NE¼SE¼	18
NW¼SE¼	7
SE¼SE¼	2
Sec. 36:	
NE¼NE¼	33
NW¼NE¼	36
SW¼NE¼	38
SE¼NE¼	30
NE¼NW¼	37

LEGAL DESCRIPTION—Continued

T. 7 N., R. 4 W., B. M.—Con.	Irrigable area (acres)
Sec. 36—Con.	
NW¼NW¼	33
SW¼NW¼	29
SE¼NW¼	39
NE¼SW¼	34
NW¼SW¼	24
NE¼SE¼	26
NW¼SE¼	33
SW¼SE¼	3
SE¼SE¼	10
T. 7 N., R. 5 W., B. M..	
Sec. 3:	
NW¼SE¼	7
SW¼SE¼	16
Sec. 9	
SE¼NE¼	11
NE¼SE¼	14
SE¼SE¼	10
Sec. 10:	
NE¼NE¼	35
NW¼NE¼	32
SW¼NE¼	30
SE¼NE¼	34
NE¼NW¼	23
NW¼NW¼	9
SW¼NW¼	35
SE¼NW¼	31
NE¼SW¼	33
NW¼SW¼	36
SW¼SW¼	36
SE¼SW¼	32
NE¼SE¼	32
NW¼SE¼	31
SW¼SE¼	31
SE¼SE¼	27
Sec. 11.	
SW¼NE¼	40
SE¼NE¼	36
NE¼NW¼	8
SW¼NW¼	40
SE¼NW¼	12
NE¼SW¼	39
NW¼SW¼	40
SW¼SW¼	34
SE¼SW¼	38
NE¼SE¼	37
NW¼SE¼	36
SW¼SE¼	34
SE¼SE¼	34
Sec. 12:	
NE¼NE¼	1
SE¼NE¼	19
SW¼NW¼	26
NE¼SW¼	40
NW¼SW¼	40
SW¼SW¼	36
SE¼SW¼	38
NE¼SE¼	38
NW¼SE¼	40
SW¼SE¼	38
SE¼SE¼	37
Sec. 13:	
NE¼NE¼	37
NW¼NE¼	38
SW¼NE¼	24
SE¼NE¼	28
NE¼NW¼	38
NW¼NW¼	37
SW¼NW¼	30
SE¼NW¼	24
NW¼SW¼	23
SW¼SW¼	28
SE¼SW¼	14
NE¼SE¼	14
NW¼SE¼	8
Sec. 14:	
NE¼NE¼	35
NW¼NE¼	29
SW¼NE¼	37
SE¼NE¼	39
NE¼NW¼	32
NW¼NW¼	39
SW¼NW¼	38
SE¼NW¼	39
NE¼SW¼	9
NW¼SW¼	36
SW¼SW¼	6
NE¼SE¼	27

LEGAL DESCRIPTION—Continued

T. 7 N., R. 5 W., B. M.—Con.	*Irrigable area (acres)*
Sec. 14—Con.	
NW¼SE¼	15
SW¼SE¼	13
SE¼SE¼	8
Sec. 15:	
NE¼NE¼	28
NW¼NE¼	33
SW¼NE¼	9
SE¼NE¼	37
NE¼NW¼	34
NW¼NW¼	20
SW¼NW¼	9
SE¼NW¼	13
NE¼SW¼	1
NW¼SW¼	28
SW¼SW¼	31
SE¼SW¼	13
NE¼SE¼	34
NW¼SE¼	33
SW¼SE¼	20
SE¼SE¼	6
Sec. 16:	
NW¼NE¼	14
SW¼NE¼	25
SE¼NE¼	17
SE¼NW¼	15
NE¼SW¼	27
NW¼SW¼	10
SW¼SW¼	25
SE¼SW¼	32
NE¼SE¼	26
NW¼SE¼	34
SW¼SE¼	36
SE¼SE¼	32
Sec. 20:	
SE¼NE¼	5
Lot 3	6
Lot 4	14
Sec. 21:	
NE¼NE¼	24
NW¼NE¼	26
SW¼NE¼	32
SE¼NE¼	36
NE¼NW¼	25
NW¼NW¼	23
SW¼NW¼	27
SE¼NW¼	28
NE¼SW¼	38
NW¼SW¼	30
SW¼SW¼	31
SE¼SW¼	22
NE¼SE¼	29
NW¼SE¼	30
SW¼SE¼	32
SE¼SE¼	33
Sec. 22:	
NE¼NW¼	14
NW¼NW¼	19
SW¼NW¼	23
SE¼NW¼	12
NE¼SW¼	26
NW¼SW¼	33
SW¼SW¼	28
SE¼SW¼	31
NE¼SE¼	32
NW¼SE¼	26
SW¼SE¼	24
SE¼SE¼	34
Sec. 23:	
NE¼NE¼	21
NW¼NE¼	21
SW¼NE¼	40
SE¼NE¼	40
NE¼NW¼	14
SW¼NW¼	23
SE¼NW¼	31
NE¼SW¼	38
NW¼SW¼	37
SW¼SW¼	36
SE¼SW¼	25
NE¼SE¼	38
NW¼SE¼	30
SW¼SE¼	24
SE¼SE¼	27
Sec. 24:	
SW¼NE¼	15
NE¼NW¼	6
NW¼NW¼	25

LEGAL DESCRIPTION—Continued

T. 7 N., R. 5 W., B. M.—Con.	*Irrigable area (acres)*
Sec. 24—Con.	
SW¼NW¼	36
SE¼NW¼	34
NE¼SW¼	20
NW¼SW¼	21
Sec. 25:	
NE¼NE¼	12
NW¼NE¼	15
SW¼NE¼	22
SE¼NE¼	9
NE¼NW¼	9
NW¼NW¼	7
SW¼NW¼	24
SE¼NW¼	20
NE¼SW¼	10
NW¼SW¼	23
SW¼SW¼	18
SE¼SW¼	22
SW¼SE¼	16
Sec. 26:	
SE¼NE¼	12
NE¼NW¼	16
NW¼NW¼	35
SW¼NW¼	10
SW¼SW¼	15
SE¼SW¼	24
NE¼SW¼	29
NW¼SE¼	16
SW¼SE¼	28
SE¼SE¼	22
Sec. 27:	
NE¼NE¼	37
NW¼NE¼	24
SE¼NE¼	6
NE¼NW¼	6
NW¼NW¼	31
SW¼NW¼	36
SE¼NW¼	2
NE¼SW¼	14
NW¼SW¼	16
SE¼SW¼	17
SW¼SE¼	18
SE¼SE¼	11
SW¼SW¼	25
Sec. 28:	
NE¼NE¼	23
NW¼NE¼	32
SW¼NE¼	26
SE¼NE¼	33
NE¼NW¼	36
NW¼NW¼	35
SW¼NW¼	24
SE¼NW¼	24
NE¼SW¼	31
NW¼SW¼	22
SW¼SW¼	18
SE¼SW¼	25
NE¼SE¼	31
NW¼SE¼	33
SW¼SE¼	25
SE¼SE¼	34
Sec. 29:	
Lot 1	31
Lot 2	17
Lot 3	17
Lot 4	20
Sec. 32:	
NE¼NE¼	18
Lot 1	6
SW¼NE¼	39
SE¼NE¼	29
Lot 2	18
NE¼SW¼	16
Lot 3	3
Lot 4	5
SE¼SW¼	34
NE¼SE¼	36
NW¼SE¼	23
SW¼SE¼	29
SE¼SE¼	24
Sec. 33:	
NE¼NE¼	33
NW¼NE¼	26
SW¼NE¼	30
SE¼NE¼	32
NE¼NW¼	26
NW¼NW¼	34
SW¼NW¼	33

LEGAL DESCRIPTION—Continued

T. 7 N., R. 5 W., B. M.—Con.	*Irrigable area (acres)*
Sec. 33—Con.	
SE¼NW¼	30
NE¼SW¼	34
NW¼SW¼	36
SW¼SW¼	23
SE¼SW¼	33
NE¼SE¼	35
NW¼SE¼	33
SW¼SE¼	33
SE¼SE¼	24
Sec. 34:	
NE¼NE¼	19
NW¼NE¼	31
SW¼NE¼	23
SE¼NE¼	27
NE¼NW¼	22
NW¼NW¼	24
SW¼NW¼	23
SE¼NW¼	35
NE¼SW¼	23
NW¼SW¼	31
NE¼SE¼	7
NW¼SE¼	17
Sec. 35:	
NE¼NE¼	23
NW¼NE¼	21
SW¼NE¼	23
SE¼NE¼	27
NE¼NW¼	24
NW¼NW¼	20
SW¼NW¼	10
SE¼NW¼	18
NE¼SW¼	20
NW¼SW¼	24
SW¼SW¼	3
SE¼SW¼	1
NE¼SE¼	12
NW¼SE¼	31
SW¼SE¼	7
SE¼SE¼	24
Sec. 36:	
NE¼NW¼	18
NW¼NW¼	33
SW¼NW¼	18
SE¼NW¼	12
NW¼SW¼	8
Total irrigable area	27,204

2. The present preliminary estimate of the probable cost of the works to be provided to the District under said contract and proposed amendments thereof is $10,772,200. The preliminary estimate of the construction charge per irrigable acre for the works built and to be built under said contract and proposed amendments thereof is hereby announced as $204.17 per acre. This per-acre construction charge is based upon the estimated announcement in the first sentence of this paragraph, is preliminary, and is subject to readjustment upon completion or termination of the construction program for providing the project works to the District and the ascertainment of the actual cost thereof, and is subject to increases or decreases to the end that the District will pay to the United States the full construction cost as finally determined by the Secretary of the Interior.

3. The construction charge payable by the District to the United States on account of the above-described lands will be due and payable in 39 annual installments, and will be based upon this preliminary estimate until the actual cost of the works to be provided the District under the said contract is determined and announced. Each of the first five annual installments will be $1.70 per irrigable acre as the irrigable acreage is shown on the above list of lands, except

as the Secretary of the Interior may change the amount due per irrigable acre, and will be due and payable by the District to the United States on December 31 of the years 1948, 1949, 1950, 1951, and 1952. The remaining 34 annual installments will be due commencing with the installment due on December 31, 1953. The amount per acre of the 34 equal annual installments will be determined and announced hereafter. It is further agreed that the annual construction installments which would otherwise become due and payable from the District to the United States in December of each year may, at the option of the District, be paid in semi-annual installments; in that event, one-half thereof shall be due and payable from the District to the United States on December 31 of each year and one-half thereof on July 1 of the following year.

4. Article 17 (e) of the contract of October 3, 1927, provides that the operation and maintenance charges payable to the United States for the first year after the issuance of the public notice fixing tentative construction charges on District lands shall be transferred to and paid as a part of the construction costs. Because, however, not all the lands of the District will be served with water for the irrigation season 1948, the transfer of operation and maintenance charges to construction costs will be postponed until the first year after the year in which water is delivered to all the lands of the District for the full irrigation season.

5. Payment of operation and maintenance costs. Except as provided in paragraph 4 of this notice, during the period that any or all of the project works are being operated by the United States, the District will pay directly to the United States the cost of operation and maintenance of the works being operated and maintained by the United States. The amounts of the annual payment shall be fixed by the Secretary and payment shall be made as provided in the separate notice of annual water charges.

6. Existing contracts unaffected. This notice of availability is given pursuant to the existing repayment contracts between the United States and the District, and, except as the provisions herein are inconsistent therewith, those repayment contracts remain in full force and effect.

7. In addition to the foregoing provisions of this notice, the delivery of water hereunder may be made conditional on the formal acceptance of this notice by the District. In the absence of such formal acceptance, payment of the operation and maintenance charges by the District for the year 1948 will be treated as the District's acceptance of this notice and all of its provisions, and the delivery of any water at any time hereunder is predicated on this understanding.

WILLIAM E. WARNE,
Acting Secretary of the Interior.

[F. R. Doc. 48-2419; Filed, Mar. 19, 1948; 8:53 a. m.]

[Public Notice No. 45, Supp. 1]

KLAMATH PROJECT, PART 2, TULE LAKE DIVISION, OREGON-CALIFORNIA

AMENDMENT TO PUBLIC NOTICE NO. 45, DATED OCTOBER 8, 1947 OPENING PUBLIC LANDS TO ENTRY AND ANNOUNCING AVAILABILITY OF WATER THEREFOR

MARCH 5, 1948.

1. Public Notice No. 45, dated October 8, 1947 (12 F. R. 6929), Opening Public Lands to Entry and Announcing Availability of Water Therefor, Klamath Project, Oregon-California, Part 2—Tule Lake Division, is hereby amended by inserting a colon after the word "paid," in the first sentence of paragraph 4 (e) thereof, together with the following: *"Provided,* That this paragraph shall not apply in the case of small tracts of project lands held or owned and used for residential purposes."

WILLIAM E. WARNE,
Assistant Secretary of the Interior

[F. R. Doc. 48-2420; Filed, Mar. 19, 1948; 8:53 a. m.]

[Public Notice No. 59, Supp. 1]

YUMA PROJECT, VALLEY AND RESERVATION DIVISIONS, ARIZONA-CALIFORNIA

AMENDMENT TO PUBLIC NOTICE NO. 59, DATED AUGUST 22, 1947, OPENING PUBLIC LAND TO ENTRY AND ANNOUNCING AVAILABILITY OF WATER THEREFOR

MARCH 3, 1948.

1. The farm units described as follows in paragraph 1 of Public Notice No. 59, dated August 22, 1947 (12 F. R. 6092) as amended by errata sheet dated September 26, 1947, are hereby withdrawn from said notice because of the necessity of adjudicating an adverse settlement claim:

VALLEY DIVISION

Gila and Salt River Base and Meridian, Arizona, Township 10 South, Range 25 West

Section	Farm unit	Description	Total irrigable acres	Order in which awarded
11	B	Lot 3	34.40	11
11	D	Lot 4; Sec. 12, Lot 19; Sec. 13, Lot 3; and Sec. 14, Lots 1 and 6	74.82	5

2. Because of the withdrawal of the two farm units described in paragraph 1 hereof the order in which the remaining farm units are to be awarded is hereby amended as follows:

Farm units 6 to 10, inclusive, are each advanced one number to 5 and 9, inclusive, respectively.

Farm units 12 to 28, inclusive, are each advanced two numbers to 10 to 26, inclusive, respectively.

3. Since it appears that water-right applications under Public Notice No. 59 will be filed during 1948, instead of 1947, the following amendment is made of paragraphs 10 (a) and 10 (b)

The due dates for payment of the annual construction charges on the Valley and Reservation Divisions and for Indian charges on the Reservation Division, other than the first payments to be made pursuant to paragraph 9, are each postponed one year from the date now stipulated.

WILLIAM E. WARNE,
Assistant Secretary of the Interior

[F. R. Doc. 48-2421; Filed, Mar. 19, 1948; 8:54 a. m.]

[No. 46]

KLAMATH IRRIGATION PROJECT, OREGON-CALIFORNIA

PUBLIC NOTICE OF ANNUAL WATER CHARGES

MARCH 1, 1948.

1. Operation and maintenance: The minimum operation and maintenance charge for the irrigation season of 1948 against all lands of the Main Division lying outside of the Klamath Irrigation District shall be $2.52 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 2½ acre-feet of water per irrigable acre. Additional water, if available, will be furnished during the irrigation season at the rate of $0.50 per acre-foot.

2. The minimum operation and maintenance charge for the irrigation season of 1948 against all lands under district or individual Warren Act contracts shall be $1.26 per irrigable acre, whether water is used or not. Pending the final adjustment of differences between certain Warren Act contractors and the Bureau arising out of charges for additional water, the charge of $0.25 per acre-foot for additional water announced in prior notices will not be made for this season.

3. Water rental: The minimum water rental charge for the irrigation season of 1948 against all lands of the Tule Lake Division lying outside of the Klamath Irrigation District and subject to Public Orders of January 22, 1927, March 30, 1928, February 6, 1929, September 10, 1930, October 16, 1931, September 9, 1937, August 1, 1946, and October 8, 1947, shall be $3.00 per irrigable acre whether water is used or not, payment of which will entitle the water user to 2½ acre-feet of water per irrigable acre. Additional water will be furnished, if available, up to a limit of 3½ acre-feet per irrigable acre at a rate of $0.50 per acre-foot and all further quantities for $0.75 per acre-foot.

4. For irrigation or waste water furnished Tule Lake leased lands, the charge, unless otherwise specified in the leases, shall be $1.00 per acre-foot for the season of 1948.

5. For irrigation or waste water furnished private lands within the dry bed of or bordering Lower Klamath Lake, the charge shall be $0.50 per acre-foot for the season of 1948.

6. For water furnished lands not subject to the operation and maintenance or water rental charges named above, the charge shall be $1.00 per acre-foot for the season of 1948.

7. Time of payment: For lands of the Tule Lake Division under public notice or public order lying outside of the Klamath Irrigation District, the minimum

charge stated in paragraph 3 above shall be due and payable one-half before the delivery of water if water is delivered before July 1, and one-half on or before July 1. If no water is delivered before July 1, then the entire charge shall become due and payable on that date. For all other lands referred to herein, the minimum charges announced shall be due and payable before the delivery of water and in any event not later than May 1 of the current irrigation season. Payment for all water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the year in which used.

8. Penalties: On all payments not made on or before the due dates, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid and a like penalty of one-half of one percent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue.

9. Where water rental application is made for public lands entered under the Reclamation Law after June 15 and where water rental application is made after August 1 for land in private ownership, no water rental charge shall be made for water delivered during the remainder of the irrigation season in which water rental application is made, but for entered public lands for which water rental application is made after June 15 the minimum water rental charge required by paragraph 9 of Public Notice No. 45 dated October 8, 1947, to be paid shall apply as a credit on the minimum charge for the following irrigation season.

RICHARD L. BOKE,
Regional Director.

[F. R. Doc. 48-2418; Filed, Mar. 19, 1948; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

DURANGO LIVESTOCK SALES CO. AND BLUE GRASS STOCKYARDS

NOTICE RELATIVE TO POSTED STOCKYARDS

Notice is hereby given that after inquiry and after consideration of all relevant matter presented pursuant to the notice of proposed posting and rule making published in the FEDERAL REGISTER on December 3, 1947 (12 F. R. 8045) it has been ascertained by me, pursuant to section 302 of the Packers and Stockyards Act, 1921 (7 U. S. C. 202) that the stockyards known as the Durango Livestock Sales Company, at Durango, Colorado, and Blue Grass Stockyards, at Lexington, Kentucky, are stockyards within the definition of that term contained in section 302 of said act and are, therefore, subject to the provisions of said act.

The attention of the stockyard owners, market agencies, dealers, and other persons concerned is directed to sections 303 and 306 (7 U. S. C. 203 and 207) and other pertinent provisions of said act, and the rules and regulations issued thereunder by the Secretary of Agriculture.

The Packers and Stockyards Act provides for a specified time after the posting of notice at the stockyard, for market agencies, dealers, and stockyard owners to register and qualify for the operation of their businesses under that act.

There appears to be no good reason to defer the effective date of the foregoing notice in view of that fact. Therefore, it is determined that good cause exists to make this notice, and it shall be, effective immediately, subject to the provisions of the Packers and Stockyards Act.

Done at Washington, D. C., this 15th day of March 1948.

[SEAL] H. E. REED,
Director Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 48-2422; Filed, Mar. 19, 1948; 8:56 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-166]

ACCIDENT OCCURRING NEAR SAN JOSE, CALIF.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 64722 which occurred near San Jose, California, on March 8, 1948.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Wednesday, March 24, 1948, at 9:00 a. m. (local time) in Room 228, Post Office Building, First and St. John Streets, San Jose, California.

Dated at Washington, D. C., March 16, 1948.

[SEAL] W. K. ANDREWS,
Presiding Officer

[F. R. Doc. 48-2442; Filed, Mar. 19, 1948; 8:47 a. m.]

[Docket No. 2741]

MONARCH AIR LINES, INC., MAIL RATES

NOTICE OF HEARING

In the matter of the petition pursuant to section 406 of the Civil Aeronautics Act of 1938, as amended, of Monarch Air Lines, Inc., for the modification of the temporary rate of compensation fixed by order of October 20, 1947 (Order Serial No. E-898) for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over its entire system of air routes; and of the order to show cause therein, published by the Board March 5, 1948 (Order Serial No. E-1269)

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act that a hearing in the above-entitled proceeding is assigned to be held on March 23, 1948, at 10:00 o'clock a. m. (eastern standard time) in Room E-131, Wing C, Temporary Building 5, below Constitution Avenue, between 15th and 17th Streets NW., Washington, D. C., before Examiner F. A. Law, Jr.

Dated at Washington, D. C., March 17, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-2441; Filed Mar. 19, 1948; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 6650, 7293, 8649, 8742, 8773]

WGAR BROADCASTING CO. ET AL.

ORDER CONTINUING HEARING

In re applications of The WGAR Broadcasting Company, Cleveland, Ohio, Docket No. 8649, File No. BPCT-214; WJW, Inc., Cleveland, Ohio, Docket No. 8742, File No. BPCT-250; Allen B. Dumont Laboratories, Inc., Cleveland, Ohio, Docket No. 7293, File No. BPCT-161; United Broadcasting Company, Cleveland, Ohio, Docket No. 6650, File No. BPCT-216; Cleveland Broadcasting, Inc., Cleveland, Ohio, Docket No. 8773, File No. BPCT-279; for construction permits.

The Commission having under consideration a joint petition filed by the above-entitled applicants requesting that the Commission continue the hearing on their applications for construction permits from March 18, 1948, at Cleveland, Ohio, "until the matter of the Commission's proposal to amend § 3.606 of its rules and regulations to effectuate a reassignment and withdrawal of television channels in the Cleveland area (Docket No. 8736) has been finally determined"

It appearing, that the convenience of the Commission would be better served by continuing the said hearing to May 24, 1948, rather than by continuing the hearing indefinitely;

It is ordered, This 8th day of March, 1948, that the joint petition be, and it is hereby, granted in part; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Monday, May 24, 1948, at Cleveland, Ohio.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-2435; Filed, Mar. 19, 1948; 8:46 a. m.]

[Docket Nos. 6737, 8454]

SOUTHERN CALIFORNIA BROADCASTING CO. (KWKW) AND ORANGE COUNTY BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Southern California Broadcasting Company (KWKW) Pasadena, California, Docket No. 6737, File No. BP-4710; Orange County Broadcasting Company, Santa Ana, California, Docket No. 8454, File No. BP-5936; for construction permits.

Whereas the above-entitled applications are scheduled to be heard at Washington, D. C., on April 19, 1948; and

Whereas on May 9, 1947, the Commission published a notice of proposed rule-making with respect to daytime skywave transmissions of standard broadcast stations (Docket No. 8333) and stated therein that it would defer action on all pending applications requesting daytime or limited time operation on United States I–A or I–B frequencies until a decision was announced in the said hearing (Mimeo No. 6630), and

Whereas the above-entitled application of Southern California Broadcasting Company (KWKW) Pasadena, California, requests the use of 830 kc, 50 kw, daytime only; and the above-entitled application of Orange County Broadcasting Company, Santa Ana, California, requests the use of 850 kc, 1 kw, daytime only;

It is ordered, This 9th day of March 1948, on the Commission's own motion, that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Thursday, May 27, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48–2437; Filed, Mar. 19, 1948; 8:46 a. m.]

[Docket No. 8025]

SEMINOLE BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Seminole Broadcasting Company, Wewoka, Oklahoma, Docket No. 8025, File No. BP–5270; for construction permit.

Whereas, the above-entitled application is scheduled to be heard at Washington, D. C., on March 22, 1948; and

Whereas, on May 9, 1947, the Commission published a notice of proposed rule-making with respect to daytime skywave transmissions of standard broadcast stations (Docket No. 8333) and stated therein that it would defer action on all pending applications requesting daytime or limited time operation on United States I–A or I–B frequencies until a decision was announced in the said hearing (Mimeo No. 6630), and

Whereas, the above-entitled application requests the use of 720 kc, 250 watts, daytime only;

It is ordered, This 9th day of March, 1948, on the Commission's own motion, that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Wednesday May 19, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48–2438; Filed, Mar. 19, 1948; 8:46 a. m.]

[Docket No. 8027]

ROCK CREEK BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Rock Creek Broadcasting Corporation, Washington, D. C., Docket No. 8027, File No. BP–5482; for construction permit.

Whereas the above-entitled application is scheduled to be heard at Washington, D. C., on March 30, 1948; and

Whereas on May 9, 1947, the Commission published a notice of proposed rule-making with respect to daytime skywave transmissions of standard broadcast stations (Docket No. 8333) and stated therein that it would defer action on all pending applications requesting daytime or limited time operation on United States I–A or I–B frequencies until a decision was announced in the said hearing (Mimeo No. 6630), and

Whereas the above-entitled application of Rock Creek Broadcasting Corporation, Washington, D. C., requests the use of 840 kc, 10 kw, daytime only, using directional antenna;

It is ordered, This 9th day of March 1948, on the Commission's own motion, that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, May 21, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48–2436; Filed, Mar. 19, 1948; 8:46 a. m.]

[Docket No. 8415]

KANSAS CITY BROADCASTING AND TELEVISION CO.

ORDER CONTINUING HEARING

In re application of Kansas City Broadcasting and Television Company, Kansas City, Missouri, Docket No. 8415, File No. BP–5829; for construction permit.

Whereas the above-entitled application is scheduled to be heard at Kansas City, Missouri, on March 26, 1948; and

Whereas the public interest, convenience, and necessity would be served by a continuance of the said hearing to April 1, 1948; and

Whereas counsel for the above-entitled applicant has consented to the said continuance;

It is ordered, This 9th day of March 1948, that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Thursday, April 1, 1948, at Kansas City, Missouri.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48–2439; Filed, Mar. 19, 1948; 8:46 a. m.]

[Docket Nos. 8784, 8785]

KING-TRENDLE BROADCASTING CORP. ET AL.

ORDER SCHEDULING HEARING

In re applications of King-Trendle Broadcasting Corporation, (assignor) and Grandwood Broadcasting Company (assignee) Bal-641, Docket No. 8784; King-Trendle Broadcasting Corporation (assignor), and Liberty Broadcasting, Inc. (assignee) Bal-641 Supplement, Docket No. 8785; for assignment of the license of Station WOOD, Grand Rapids, Michigan.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of March 1948;

The Commission having under consideration a joint petition filed March 3, 1948, by American Broadcasting Company, Inc. (which controls King-Trendle Broadcasting Corporation (WOOD), Grand Rapids, Michigan), Grandwood Broadcasting Company, and Liberty Broadcasting, Inc., requesting that the Commission hear en banc at a date convenient to the Commission on or about April 5, 1948, the consolidated hearing, now scheduled before an examiner for March 22, 1948, at Washington, D. C., on the above-entitled conflicting applications for assignment of license of Station WOOD, Grand Rapids, Michigan;

It is ordered, That the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, scheduled to be heard before the Commission en banc at 10:00 a. m., Monday, March 29, and Tuesday, March 30, 1948, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48–2434; Filed, Mar. 19, 1948; 8:45 a. m.]

[Docket No. 8826]

MACKAY RADIO AND TELEGRAPH CO., INC., AND RCA COMMUNICATIONS, INC.

ORDER DESIGNATING HEARING

In the matter of Mackay Radio and Telegraph Company, Inc., and RCA Communications, Inc., Applications for modifications of licenses to authorize communication with Pakistan.

As a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of March 1948;

The Commission, having under consideration an application (File No. 7461–C4–ML–C) filed by Mackay Radio and Telegraph Company, Inc., on December 8, 1947, for modification of its Brentwood, New York station license to authorize communication with Karachi, Pakistan directly and via its relay station at Tangier; and also having under consideration an application (File No. 8729–C4–ML–C) filed by RCA Communications, Inc., on January 5, 1948, for modification of its Rocky Point, New York station license to authorize communication with Karachi, Pakistan directly and via its relay station at Tangier;

It appearing, that the Commission, upon examination of the above-described applications, is unable to determine that public interest, convenience, or necessity would be served by the granting thereof;

It is ordered, Pursuant to section 309 (a) of the Communications Act of 1934, as amended, That the foregoing applications are designated for hearing for the following reasons:

1. To determine whether public interest, convenience, or necessity would be better served by granting one, or both of the above applications, in the light of all pertinent factors relating to such determination, including, but not limited to the following:

(a) The present and expected volume of telegraph traffic, and revenues therefrom, between the United States and Pakistan;

(b) The nature, capacity, and adequacy of existing communication facilities between the United States, and Pakistan;

(c) The promotion of the most efficient and economical use of frequencies and facilities in furnishing radiotelegraph service with Pakistan;

(d) The promotion of the most rapid and efficient service to the public;

(e) The facilities to be used in, and the speed, capacity, transmission qualities, and scheduled hours of operation of the respective circuits proposed in the above applications;

(f) The nature of any contracts, agreements, understandings, and routing practices between each of the applicants, and any other carrier, organization, or operating administration, in connection with the operation of the respective circuits proposed in the above applications;

(g) The nature of the service to be rendered by each applicant over the respective circuits, including the classes of service to be offered, the charges to be made for each such class, and the division of such charges;

(h) Competition in communication service with Pakistan.

2. To determine, in the event that only one circuit is to be authorized to Pakistan, the comparative qualifications of the respective applicants to operate such circuit in the public interest, convenience, or necessity, in the light of all pertinent factors specified above in paragraph number (1) and, in addition, the following factors:

(a) The preservation of competition between cable and radio communications services;

(b) The steps to be taken by each applicant to adapt its present system to provide for the operation of the circuit to Pakistan, and whether the system of one applicant is more readily adaptable to the proposed operation than the system of the other applicant.

3. To determine, if the application of one of the applicants herein to communicate directly with Pakistan is denied, whether public interest, convenience, or necessity would be served by authorizing such applicant to communicate with Pakistan via its relay station at Tangier, in the light of all the pertinent factors specified above in Paragraph number (1) and, in addition, the following factors:

(a) The alternate routes available to the applicant for the movement of traffic destined to Pakistan;

(b) The division of tolls and speed of service on Pakistan traffic moving over such alternate routes, as compared with the division of tolls and speed of service on such traffic moving via Tangier;

It is further ordered, That the hearing herein shall be held at the offices of the Commission at Washington, D. C., beginning at 10:00 a. m. on the 3d day of May 1948;

It is further ordered, That Commissioner Wayne Coy, Chairman, is assigned to preside at the hearing, and that an initial decision in lieu of the Commission's proposed decision be prepared by the presiding officer in accordance with the provisions of § 1.851 (b) and (c) of the rules and regulations of the Commission.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-2433; Filed, Mar. 19, 1948; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-987, G-1002]

UNITED GAS PIPE LINE CO. AND SOUTHERN NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

Upon consideration of the following:

(a) Application filed January 16, 1948, by United Gas Pipe Line Company (Applicant) a Delaware corporation with its principal place of business at Shreveport, Louisiana, at Docket No. G-987, for permission and approval, pursuant to section 7 of the Natural Gas Act, to abandon certain natural-gas facilities subject to the jurisdiction of the Commission, all as more fully described in such application on file with the Commission and open to public inspection;

(b) Application filed February 12, 1948, by Southern Natural Gas Company (Applicant), a Delaware corporation, with its principal place of business at Birmingham, Alabama, at Docket No. G-1002, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction, acquisition and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, all as more fully described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) Good cause exists for consolidating the above matters for the purpose of hearing;

(b) These proceedings are proper for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, each applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of each of the aforesaid applications, including publication in the FEDERAL REGISTER on February 27, 1948 (13 F. R. 1067, 1069) respectively.

The Commission therefore orders that:

(A) The above-docketed proceedings be and they are hereby consolidated for the purpose of hearing;

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on April 5, 1948, at 9:30 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such applications: *Provided, however* That the Commission may, after a non-contested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f) of said rules of practice and procedure.

Date of issuance: March 16, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 48-2417; Filed, Mar. 19, 1948; 8:59 a. m.]

[Docket No. G-930]

MICHIGAN GAS STORAGE CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MARCH 17, 1948.

Notice is hereby given that, on March 16, 1948, the Federal Power Commission issued its findings and order entered March 16, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 48-2424; Filed, Mar. 19, 1948; 8:59 a. m.]

[Docket No. E-6122]

EL PASO ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING ISSUANCE OF BONDS

MARCH 17, 1948.

Notice is hereby given that, on March 16, 1948, the Federal Power Commission issued its order entered March 16, 1948, authorizing and approving issuance of bonds in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 48-2425; Filed, Mar. 19, 1948; 8:59 a. m.]

NORTHERN STATES POWER CO.
(WISCONSIN)

NOTICE OF ORDERS DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ACCOUNT 100.5, ELECTRIC PLANT ACQUISITION ADJUSTMENTS

MARCH 17, 1948.

Notice is hereby given that, on March 16, 1948, the Federal Power Commission issued its orders entered March 16, 1948, directing disposition of amounts classified in account 100.5, electric plant acquisition adjustments, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-2426; Filed, Mar. 19, 1948; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1737]

WEST PENN POWER CO. AND WEST PENN ELECTRIC CO.

ORDER GRANTING AND PERMITTING JOINT APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1948.

The West Penn Electric Company ("West Penn Electric") a registered holding company, and its direct subsidiary, West Penn Power Company ("West Penn Power"), having filed a joint application-declaration under the Public Utility Holding Company Act of 1935 regarding a financing program for West Penn Power, and related transactions, as follows: (a) A proposal on the part of West Penn Power to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the Act, $12,000,000 principal amount of First Mortgage Bonds and 50,000 shares of preferred stock, par value $100 per share, (b) a proposal on the part of West Penn Power to issue and sell to West Penn Electric, subject to the preemptive rights of the public holders of a portion of the outstanding common stock to purchase approximately 5.451% of new common stock, additional shares of its common stock, without nominal or par value, in an amount sufficient to generate cash of approximately $2,500,000; and (c) a proposal on the part of West Penn Electric to acquire all shares of new common stock not purchased by the public;

Representatives of West Penn Power having requested that in connection with the offering of the bonds and preferred stock the ten-day period for the solicitation of bids required by the provisions of Rule U-50 be shortened to not less than six (6) days and having further requested the removal of the condition of a previous order of the Commission, dated July 14, 1939, with respect to West Penn Power, restricting the payment of common stock dividends so that the capital of the company represented by its common stock, together with surplus, should not at any time be less than $27,750,000;

A public hearing on these matters having been held, after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein:

It is ordered, That the joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24, and to the following terms and conditions:

(1) That the solicitation period of ten days required by Rule U-50 be, for the purpose of the sale of the bonds and preferred stock of West Penn Power herein being considered, shortened to not less than six (6) days;

(2) That the proposed issuance and sale of the bonds, preferred stock, and common stock by West Penn Power shall not be consummated until the results of the competitive bidding for the bonds and preferred stock and the subscription price for the common stock have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof and being reserved, at this time, with respect to the payment of any and all fees and expenses incurred or to be incurred in connection with the proposed transactions;

(3) That West Penn Power shall not pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution on, or purchase, or otherwise acquire for value, any of its common stock (each and all of these actions being hereinafter embraced in the term "payment of common stock dividends") except as follows:

"(a) If, and so long as, the ratio of capital represented by common stock, including premiums on said stock, of West Penn Power plus the consolidated surplus of West Penn Power and its subsidiaries (for the purpose of paragraphs numbered 3 and 4 herein, consolidated computations for West Penn Power and its subsidiaries are meant to exclude the following companies: Monongahela Power Company and its subsidiaries, Beech Bottom Power Company, Inc., and Windsor Power House Coal Company) to the total consolidated capital and surplus of West Penn Power and its subsidiaries at the end of the second calendar month immediately preceding the date of the proposed payment of common stock dividends adjusted to reflect the proposed payment of such dividends (this ratio being hereinafter referred to as "capitalization ratio") is less than 20%, then the payment of common stock dividends, including the proposed payment, during the 12 months period ending with and including the date of the proposed payment, shall not exceed 50% of the consolidated net income of West Penn Power and its subsidiaries applicable to the common stock of West Penn Power during the 12 calendar months ending with and including the second calendar month immediately preceding the date of the proposed payment of common stock dividends;

(b) If, and so long as, such capitalization ratio is 20% or more, but less than 25%, then the payment of common stock dividends during the 12 months period ending with and including the date of the proposed payment shall not exceed 75% of the consolidated net income of West Penn Power and its subsidiaries applicable to the common stock of West Penn Power during the 12 calendar months ending with and including the second calendar month immediately preceding the date of the proposed payment of common stock dividends;

(c) Except to the extent permitted by subparagraphs (a) and (b) hereof West Penn Power shall make no payment of common stock dividends which would reduce such capitalization ratio to less than 25%,

For the purpose of the terms and conditions of this order:

(A) The total consolidated capital of West Penn Power and its subsidiaries shall be deemed to consist of the aggregate of all outstanding indebtedness of West Penn Power and its subsidiaries represented by bonds, debentures, notes, and other evidences of indebtedness maturing by their terms one year or more from the date of issuance thereof and not held by West Penn Power or its subsidiaries and the aggregate amount of stated or par value of all capital stocks, including premiums on such capital stocks, of all classes of West Penn Power and its subsidiaries not held by West Penn Power or its subsidiaries;

(B) Consolidated surplus upon which capitalization ratios are computed shall be adjusted to eliminate any and all amounts included in consolidated earned surplus of West Penn Power and its subsidiaries accumulated subsequent to December 31, 1947 but not available for payment of common stock dividends pursuant to provisions of section 2 of Article II C of the West Penn Power Company, Supplemental Indenture dated as of March 1, 1948;

(C) In computing consolidated net income of West Penn Power and its subsidiaries applicable to the common stock of West Penn Power for purpose of this restriction respecting the payment of common stock dividends, operating expenses, among other things, shall include the provisions for depreciation as recorded on the books of the companies or the minimum provision for depreciation as defined in section 4 of Article II C of the West Penn Power Supplemental Indenture, dated March 1, 1948, whichever is larger;

(4) That so long as any of the shares of the series of Preferred Stock now outstanding or the series presently proposed to be issued are outstanding, West Penn Power will not issue and sell, without the consent (given in writing or by vote at a meeting called for the purpose) of the holders of at least two-thirds of the total number of shares of Preferred Stock at the time outstanding, any additional shares of Preferred Stock (other than the 50,000 shares of Preferred Stock, Series B, presently proposed to be issued) unless

(a) The aggregate of the capital of West Penn Power applicable to all stock of any class ranking junior to the Preferred Stock, plus the consolidated surplus of the corporation and its subsidiaries, shall be not less than the aggregate amount payable upon involuntary liquidation, dissolution, or winding up of the affairs of West Penn Power to the holders of all shares of Preferred Stock and all shares of stock, if any, ranking prior thereto or on a parity therewith as to dividends or distributions to be outstanding immediately after such proposed issue, excluding from such computation all shares of such stock to be retired through such proposed issue. No portion of the surplus of West Penn Power utilized to satisfy the foregoing requirement shall be available for dividends or other distributions upon or in respect of shares of stock of West Penn Power of any class ranking junior to the Preferred Stock or for the purchase of shares of such junior stock until such number of additional shares of Preferred Stock are retired or until and to the extent that the capital applicable to such junior stock shall have been increased; and

(b) The consolidated income of West Penn Power and its subsidiaries (determined as hereinafter provided) for any twelve consecutive calendar months within the fifteen calendar months immediately preceding the month within which the issuance of such additional shares is authorized by its Board of Directors shall have been in the aggregate not less than one and one-half times the sum of the interest requirements (adjusted by provision for amortization of debt discount and expense or of premium on debt, as the case may be) for one year on all indebtedness of West Penn Power and its subsidiaries and the full dividend requirements for one year on all shares of Preferred Stock of West Penn Power and all shares of its stock, if any, ranking prior thereto or on a parity therewith as to dividends which will be outstanding after the issuance of the shares of Preferred stock proposed to be issued, excluding from such computation all such indebtedness and shares of such stock to be retired through such proposed issue. "Consolidated income" for any period for the purpose of this paragraph (b) shall be computed by adding to the consolidated net income of West Penn Power and its subsidiaries for said period, determined in accordance with generally accepted accounting principles and practices, as adjusted by action of the Board of Directors of West Penn Power as hereinafter provided, the amount deducted for interest (adjusted as above provided) in determining such consolidated net income. In determining such consolidated net income for any period, there shall be deducted, in addition to other items of expense the provisions for depreciation as recorded on such books, or, in the case of West Penn Power, the minimum provision for depreciation as defined in section 4 of Article II C of the West Penn Power Supplemental Indenture dated as of March 1, 1948, whichever is larger. In the determination of such consolidated net income, the Board of Directors of West Penn Power may, in the exercise of due discretion and in accordance with sound accounting principles, make adjustments by way of increase or decrease in such consolidated net income to give effect to changes therein resulting from any acquisition of properties or to any redemption, acquisition, purchase, sale, or exchange of securities by West Penn Power or its subsidiaries either prior to the issuance of any shares of Preferred Stock or stock ranking on a parity therewith then to be issued or in connection therewith; and

5. That the condition of our order of July 14, 1939 with respect to the payment of common stock dividends by West Penn Power only if the capital of the company represented by its common stock, including surplus, after payment of the proposed dividend, equalled or exceeded $27,750,000 be, and the same hereby is, removed.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-2412; Filed, Mar. 19, 1948; 8:49 a. m.]

[File No. 70-1750]

UTAH POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of March A. D. 1948.

Utah Power & Light Company ("Utah") a registered holding company, having filed a declaration and amendments thereto pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 of the rules and regulations promulgated thereunder, with respect to the transactions summarized below:

Utah proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $3,000,000 principal amount of First Mortgage Bonds, ____% Series, due 1978, and $3,000,000 principal amount of ____% Sinking Fund Debentures due 1973. The proceeds from the sale of these securities together with treasury cash will be used to finance in part the construction program of Utah and its subsidiary The Wester Colorado Power Company. To the extent that available funds are not sufficient to meet construction expenditures for 1949 and 1950 it is anticipated that they will be provided through the issuance of additional securities from time to time.

Utah also proposes to submit to its stockholders at the next annual meeting a proposal to amend its Certificate of Organization so as to increase its authorized capital stock from 1,250,000 shares without par value to 1,500,000 shares without par value.

Said declaration having been duly filed on February 17, 1948, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the said declaration, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective, and further deeming it appropriate to grant the request of the declarant that the Commission's order herein become effective forthwith;

It is ordered, That, pursuant to Rule U-23, said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following conditions:

(1) That the proposed issue and sale of Bonds and Debentures shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 with respect to said Bonds and Debentures have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction is hereby reserved;

(2) That jurisdiction be reserved with respect to the payment of fees and expenses of all counsel in connection with the proposed transactions.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 48-2414; Filed, Mar. 19, 1948; 8:49 a. m.]

[File No. 70-1757]

CENTRAL MASSACHUSETTS ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of March A. D. 1948.

Notice is hereby given that a declaration, and an amendment thereto, has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Central Massachusetts Electric Company ("Central Massachusetts") a subsidiary of New England Electric System, a registered holding company. Declarant has designated section 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 22, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Wash-

ington 25, D. C. At any time after March 22, 1948, said declaration, as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration and amendment which are on file with this Commission for a statement of the transactions therein proposed which are summarized as follows:

Central Massachusetts proposes to issue up to $1,000,000 aggregate face amount of not more than one-year unsecured promissory notes pursuant to an agreement with The First National Bank of Boston, such notes to bear interest or be discounted at prevailing rates with the effective interest rate not to exceed 2% per annum. Central Massachusetts states that the notes are to be issued as follows:

(a) $150,000 promptly following the effective date of the subject declaration;

(b) An aggregate of $700,000 during the calendar year 1948 at the various due dates of its presently outstanding notes, unless proceeds of permanent financing are available to retire such notes;

(c) $150,000 subsequent to the complete retirement of its presently outstanding notes.

The declarant further states that the proceeds of the notes are to be used for construction of plant and property or to refinance its outstanding notes the proceeds of which were issued for that purpose.

The declaration further states that no State commission and no other Federal commission has jurisdiction over the proposed issuance of notes. Declarant requests that this Commission issue its order permitting the declaration to become effective on or before March 26, 1948 and that the order become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-2416; Filed, Mar. 19, 1948; 8:49 a. m.]

[File No. 70-1764]

CONSOLIDATED NATURAL GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of March 1948.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Natural Gas Company ("Consolidated") a registered holding company. Declarant designates section 7 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 1, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request, the nature of his interest and the issues of fact or law raised by said declaration, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 1, 1948, said declaration, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transaction therein proposed which is summarized as follows:

Consolidated proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $30,000,000 principal amount of ____% Debenture Bonds due 1968, to be issued under the company's indenture to J. P. Morgan & Co., Inc., dated as of April 1, 1948. The interest rate and price to the company for the debentures will be determined by competitive bidding, except that the invitation for bids will specify that the interest rate shall be a multiple of ⅛ of 1% and that the price to the company shall not be less than 100% nor more than 102.75% of the principal amount plus accrued interest, if any.

Consolidated states that the proceeds to be derived from the sale of debentures will be used to provide funds for the purchase, from time to time (pursuant to further orders of this Commission) of securities of the company's subsidiaries, to enable such subsidiaries to finance, in part, their construction requirements. The company estimates that its subsidiaries will be required to expend upwards of $60,000,000 for additional distribution and transmission pipe lines, compressor facilities, gas wells, and storage facilities during the next two years, of which one-half will be required during 1948.

Consolidated has requested the Commission to issue its order permitting the declaration to become effective on or before April 1, 1948.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant to the Secretary.*

[F. R. Doc. 48-2415; Filed, Mar. 19, 1948; 8:49 a. m.]

H. F. SCHROEDER

ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of March A. D. 1948.

In the matter of H. F. Schroeder & Co., 115 Broadway, New York, New York.

Proceedings having been instituted to determine whether the registration of H. F Schroeder & Co. as a broker and dealer should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934 or whether H. F Schroeder & Co. should be permitted to withdraw from registration;

A hearing having been held after appropriate notice, the respondent having consented to revocation of registration, the Commission being duly advised and having this day issued its findings and opinion, on the basis of said findings and opinion;

It is ordered, That the registration of H. F. Schroeder & Co. as a broker and dealer be, and it hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-2413; Filed, Mar. 19, 1948; 8:49 a. m.]

[File Nos. 59-91, 54-165]

PENNSYLVANIA GAS & ELECTRIC CORP. ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington on the 9th day of March 1948.

In the matter of Pennsylvania Gas & Electric Corporation and its subsidiary companies (respondents), File No. 59-91, Allegany Gas Company, Crystal City Gas Company, Saugerties Gas Light Company, Addison Gas and Power Company, North Penn Gas Company and Pennsylvania Gas & Electric Corporation (applicants), File No. 54-165.

I. Notice is hereby given that a plan designated as "Plan No. 1" has been filed with this Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by Pennsylvania Gas & Electric Corporation ("Penn Corp") a registered holding company, and its subsidiaries, North Penn Gas Company ("North Penn") also a registered holding company, Saugerties Gas Light Company ("Saugerties") an exempt holding company, Crystal City Gas Company ("Crystal City"), a gas utility company, Addison Gas and Power Company ("Addison"), a gas utility company, and Allegany Gas Company ("Allegany") a gas utility company. The relationships among the applicants are set forth in Part II hereinafter. Briefly stated, the plan proposes the transfer to Crystal City of substantially all of the Penn Corp holding company system's utility properties in the State of New York not presently held by Crystal City, and in connection therewith the dissolution of Saugerties and Addison.

All interested persons are referred to the application, which is on file in the office of this Commission, for a statement of the transactions proposed in Plan No. 1 which are summarized as follows:

1. Crystal City, a gas utility company organized and operating in the State of New York, will consolidate with Addison, also a gas utility company organized and operating in that state, and with Saugerties, an exempt holding company organized in New York, whose only subsidiary is Addison. Crystal City will be the sur-

viving company. Penn Corp will convey to Crystal City all of Saugerties' outstanding common stock, consisting of 4,223 shares of a par value of $25 per share, in exchange for 461 shares of Crystal City common stock of the par value of $100 per share. All of the stock of Saugerties and Addison will be cancelled.

2. Crystal City will acquire all of the remaining New York gas transmission and distribution properties of Penn Corp's holding company system by purchasing from Allegany the latter's transmission and distribution properties in that state in exchange for 1,234 shares of Crystal City common stock, subject to closing adjustments between the two companies.

3. Penn Corp will transfer its 382½ shares of Crystal City preferred stock to Crystal City in exchange for 382 shares of the latter's common stock.

4. Penn Corp will then donate to Allegany all of the common stock of Crystal City which it will then own.

5. Such reasonable fees and remuneration for services incurred in connection with Plan No. 1 will be paid by the applicants as the Commission shall finally determine, award, or allocate upon petition of any interested person.

6. The consummation of Plan No. 1 is subject to the following conditions and reservations:

(a) The Commission shall have given all necessary approval and (if requested by one or more of the applicants) shall have applied to an appropriate District Court of the United States and such court shall have given all necessary approval and have taken action to enforce and carry out the terms and provisions of the Plan.

(b) The order or orders of the Commission shall contain recitals necessary to meet the requirements of the Internal Revenue Code, as amended, including section 1808 and Supplement R thereof.

7. The application indicates that Plan No. 1 is an essential part of a general program for corporate simplification of the Penn Corp holding company system. The general program contemplates the elimination of five separate companies, namely, North Penn, Addison, Saugerties, Alum Rock Gas Company, and Dempseytown Gas Company. It also contemplates the survival of two operating companies in the northern Pennsylvania-southern New York area; one will be Allegany which will serve gas to the public in Pennsylvania, the other will be Crystal City which will serve gas to the public in New York. Crystal City will be a wholly-owned subsidiary of Allegany.

II. The Commission having examined, pursuant to sections 11 (a) 18 (a) and 18 (b) of the Public Utility Holding Company Act of 1935, the corporate structure of Penn Corp, a registered holding company, and its subsidiary companies, the relationships among the companies in the holding company system of said Penn Corp, the character of the interests thereof and the properties owned or controlled thereby, to determine the extent to which the corporate structure of such holding company system and the companies therein may be simplified, unnecessary complexities therein eliminated, voting power fairly and equitably distributed among the holders of securities thereof, and the properties and businesses of such system confined to those necessary or appropriate to the operations of an integrated public utility system or systems under the standards of section 11 (b) of the act; and said examination having disclosed data establishing or tending to establish the following:

8. Penn Corp is a corporation organized under the laws of the State of Delaware and maintains its corporate offices in the city of Wilmington, State of Delaware.

9. The names of the companies comprising the holding company system of Penn Corp (their relationships being indicated by indentation), the states in which such subsidiary companies are incorporated, and the percent of voting securities owned by the system companies, are shown in the following table:

TABLE I

Name of company	State of organization	Percent of voting securities owned by system companies
Pennsylvania Gas & Electric Corp.	Delaware	
Crystal City Gas Co.	New York	100.0
Saugerties Gas Light Co.	do	100.0
Addison Gas & Power Co.	do	100.0
North Penn Gas Co.	Pennsylvania	100.0
Allegany Gas Co.	do	100.0
Alum Rock Gas Co.	do	100.0
Dempseytown Gas Co.	West Virginia	100.0
Newport Gas Light Co., The	Rhode Island	100.0
North Shore Gas Co.	Massachusetts	100.0
York County Gas Co.	Pennsylvania	[1] 15.0
New Penn Development Corp.	Delaware	100.0
Penn-Western Service Corp.	New York	[2] 37.6

[1] The balance of the common stock of York County Gas Co. is held by the public.
[2] Balance of 62.4 percent of voting securities is held within the holding system of Sioux City Gas & Electric Co., a registered holding company.

10. The operating subsidiaries of Penn Corp, the states of their operations and the kinds of operations of each, together with the gross property accounts at December 31, 1946 and the gross revenues for the year 1946, are shown in the following table:

TABLE II

Name of company	Kind of operations	States of operations	Gross property	Operating revenues [1]
Crystal City Gas Co.	Natural gas utility	New York	$741,319	$453,253
Saugerties Gas Light Co.	Holding co.	do		
Addison Gas and Power Co.	Natural gas utility	do	25,625	25,705
North Penn Gas Co.	Registered holding co.	Pennsylvania	4,041,949	1,916,197
	Natural gas utility			
Allegany Gas Co.	do	Pennsylvania, New York	5,135,065	1,311,625
Alum Rock Gas Co.	do	Pennsylvania	2,032,311	230,153
Dempseytown Gas Co.	do	do	857,218	230,277
Newport Gas Light Co., The	Manufactured gas utility	Rhode Island	1,230,057	443,629
North Shore Gas Co.	do	Massachusetts	450,230	111,044
York County Gas Co.	Manufactured and natural gas utility.	Pennsylvania	4,229,124	1,217,059
New Penn Development Corp.	Wholesale oil and gas (non-utility).	New York, Pennsylvania, Illinois, Kentucky.	1,197,314	193,574

[1] Intercompany items not eliminated.

11. Crystal City is engaged in the purchase of natural gas and the sale of such gas at retail in the City of Corning, the Village of Painted Post, and the Town of Irwin, New York.

12. Saugerties is an exempt holding company and was formerly a manufactured gas utility whose assets were sold in July 1945. Its only present function is to hold the common stock of Addison.

13. Addison is engaged in the purchase of natural gas and the sale of such gas at retail in the Village of Addison, New York.

14. North Penn is engaged in the business of producing, purchasing, storing, and selling (at wholesale and retail) of natural gas in Pennsylvania. North Penn is also a registered public utility holding company.

15. Allegany produces and purchases natural gas in Pennsylvania and New York and sells natural gas to retail and wholesale customers in those states. The principal wholesale customers in New York are Addison, Crystal City, and New York State Electric and Gas Corporation, the last a non-affiliated company.

16. Alum Rock Gas Company ("Alum Rock") produces, purchases, and sells natural gas in Pennsylvania. Most of the gas sales are at wholesale to United Natural Gas Company, a non-affiliated utility company doing business in Venango County. Retail sales are made to approximately 300 customers in a number of small communities in Clarion County.

17. Dempseytown Gas Company ("Dempseytown") produces and sells natural gas in Clarion, Forest and Venango counties of Pennsylvania. Principal customers are industrial plants at Oil City, Carion, and Marienville.

18. Newport Gas Light Company ("Newport") manufactures, distributes, and sells gas in Newport and Middletown, Rhode Island.

19. North Shore Gas Company ("North Shore") purchases and sells manufactured gas to customers in Ipswich and

other small towns along the north shore of Massachusetts.

20. York County Gas Company ("York") is engaged in the business of manufacturing gas, purchasing natural gas, and selling mixed gas and natural gas in York, Pennsylvania and immediate vicinity.

21. New Penn Development Corporation ("New Penn Development") is engaged in the production and sale entirely at wholesale of natural gas in the Uniontown area of Pennsylvania and in Chautauqua, Cattaraugus, and Steuben counties in New York. The company also owns natural gas production properties or acreage in West Virginia, Mississippi and Ohio. New Penn Development produces and sells crude oil in the states of Illinois and Kentucky. Crude oil sales represented about 52% of its total gross revenues in 1946.

22. North Penn, Allegany and Dempseytown purchase a substantial proportion of their gas requirements from New York State Natural Gas Corporation, a nonaffiliated company. Crystal City and Addison purchase their supply from Allegany. Alum Rock and Dempseytown exchange a considerable amount of gas with each other.

23. Penn-Western Service Corporation ("Penn-Western") a mutual service company whose offices are located in New York City, renders services to Penn Corp and its subsidiaries, and to companies in the Sioux City Gas and Electric Company ("Sioux City") holding company system. All of the stock of Penn-Western is owned by the subsidiaries of Penn Corp and by Sioux City and its principal subsidiary, Iowa Public Service Company. The officers, directors and/or employees of Penn-Western are in a number of cases also officers, and/or directors of Penn Corp and its subsidiaries and of Sioux City and its subsidiaries. The revenues of Penn-Western are derived from both the Penn Corp and Sioux City holding company systems on the basis of allocations of costs for services rendered.

24. A map indicating the location of the properties and service areas of the Penn Corp holding company system is attached as Appendix 1.

25. It appears, tentatively, to the Commission that there are four separate public utility systems in the Penn Corp holding company system, namely, (a) the natural gas operations of North Penn, Crystal City, Allegany, Alum Rock, Dempseytown and Addison in the northern Pennsylvania-southern New York area, (b) the mixed and natural gas operations of York in southern Pennsylvania, (c) the manufactured gas operations of Newport in Rhode Island, and (d) the manufactured gas operations of North Shore in Massachusetts. It also appears, tentatively, that there are two other businesses in the holding company system, viz, the businesses of New Penn Development and of Penn-Western. Furthermore, it appears, tentatively, that none of the four separate public utility systems is retainable with any of the other systems under the standards of section 11 (b) (1) of the act, and that one or both of the other businesses are not reasonably incidental or economically necessary or appropriate to the operations of any of the four utility systems.

26. The corporate and consolidated capitalization and surplus of Penn Corp as of December 31, 1946, per books and adjusted to state capital stocks at liquidation preferences (including preferred dividend arrearages) are set forth below:

TABLE III

Corporate	Per books		Adjusted	
	Amount	Percent	Amount	Percent
Long-term debt: 6 percent debentures	$2,148,300	49.63	$2,148,300	49.63
Preferred stock:				
7 percent cumulative, $100 par 10,000 shares	1,000,000	23.10	1,000,000	23.10
Arrearages (69.87½ per share)			698,750	16.83
$7 cumulative, no par 20,000 shares (liq. pref. $100 per share)	1,760,000	40.69	2,000,000	46.20
Arrearages ($59.87½ per share)			1,197,500	27.67
Total preferred stock	2,760,000	63.76	4,766,250	110.80
Common stock and surplus:				
Class A, no par participating 112,223 shares (liq. pref. $35 per share)	1,457,123	33.66	3,927,805	90.74
Class B, no par, 224,446 shares less 379 in treasury	59,899	1.39	59,899	1.39
Earned surplus (deficit)	(2,096,770)	(48.44)	(6,603,697)	(152.50)
Total common stocks and surplus	(579.743)	(13.39)	(2,615,993)	(60.43)
Total capitalization and surplus	4,328,557	100.00	4,328,557	100.00

TABLE IV

Consolidated	Per books		Adjusted	
	Amount	Percent	Amount	Percent
Subsidiary companies:				
Long-term debt	$3,291,972	38.18	$3,291,972	38.18
Preferred stocks	[1] 592,500	6.87	592,500	6.87
Total subsidiary companies	3,884,472	45.05	3,884,472	45.05
Pennsylvania corporation:				
Long-term debt	2,148,300	24.92	2,148,300	24.92
Preferred stock	2,760,000	32.01	4,766,250	55.63
Total Pennsylvania corporation	4,908,300	56.93	6,914,550	80.55
Common stocks and surplus:				
Class A common stock	1,457,128	16.90	3,927,805	45.55
Class B common stock	59,899	.70	59,899	.70
Earned surplus (deficit)	(1,688,070)	(19.58)	(6,191,997)	(71.85)
Total common stocks and surplus	(171,043)	(1.98)	(2,207,293)	(25.60)
Total capitalization and surplus	8,621,729	100.00	8,621,729	100.00

[1] Representing $7 prior preferred of North Penn redeemed July 15, 1947.

27. The 7% and $7 cumulative preferred stocks of Penn Corp rank equally in all respects. The 7% cumulative preferred stock has a par value of $100 per share and the $7 cumulative preferred stock has a stated value of $88 per share. Before any distribution may be made to the holders of the common stocks, both issues of preferred stock are entitled in liquidation to $100 per share and accrued dividends. The preferred stocks may be redeemed by the company upon payment to the holders thereof of $110 per share and accrued dividends.

The Class A no par common stock which is carried on the books of Penn Corp at $12.98½ per share has a noncumulative dividend preference, junior to that of the preferred stocks, of $1.50 per share before any dividends may be paid on the Class B common stock, and has the right to receive additional dividends in aggregate amount equal to the aggregate amount of dividends in excess of $1.50 per share paid to the holders of the Class B common stock. In liquidation, after payment to the holders of the preferred stocks as indicated above, the Class A stock is entitled to $35 per share before any distribution may be made to the holders of the Class B common stock. After such distribution to the holders of the Class A common stock, the holders of the Class B common stock are entitled to the remaining assets.

The shares of Class B common stock are without par value and are carried on the books of the company at 26¾ cents per share.

28. Normal voting power in Penn Corp is vested solely in the Class B common stock, each share having one vote. Upon the absence of dividend payments for twelve consecutive months the 7% and $7 cumulative preferred stocks become entitled, together with the Class B common stock, to one vote per share. The Class A common stock is entitled, upon the absence of dividend payments for 24 consecutive months, to elect one-third of the board of directors. Dividend arrearages on the 7% and $7 cumulative preferred stocks have been accumulating since April 1, 1938, the date of the payment of the last regular quarterly dividend of $1.75 per share. Payments of one-half the regular dividend were made on these two classes of stocks on July 1, 1938 and dividends of $0.50 per share were paid in 1939. No further dividends have been paid on these stocks. The last dividend payment on the Class

A common stock was made on December 1, 1937. No dividends have ever been paid on the Class B common stock since the organization of Penn Corp in 1924.

At present the voting power is distributed as follows:

	For two-thirds of directors		Percent of total voting power
	Votes	Percent	
7 percent prefered stock	10,000	3.9	2.6
$7 preferred stock	20,000	7.9	5.3
Class B common stock	224,067	88.2	58.8
	254,067	100.0	66.7
	For one-third of directors		
Class A common stock	112,223	100.0	33.3
			100.0

29. The corporate gross revenues of Penn Corp and the sources thereof for the years 1937 to 1946 were as follows:

Year	Dividends	Interest	Miscellaneous	Total
1937	$571,193	$61,646	----------	$632,839
1938	333,275	70,713	----------	403,988
1939	315,500	27,886	----------	343,386
1940	130,500	33,050	----------	163,550
1941	131,500	33,671	----------	165,171
1942	100,250	23,068	$525	123,943
1943	93,500	9,847	2,050	105,397
1944	65,500	7,735	2,830	76,035
1945	109,506	6,672	1,830	117,996
1946	123,454	4,755	[1] 9,723	137,932

[1] Includes $8,000 interest on the sales price of The Petersburg & Hopewell Gas Co. common stock as per terms of contract from May 1, 1946 to date of closing July 12, 1946.

30. Penn Corp's gross income, net income, net income applicable to the common stock, and coverage of fixed charges and preferred dividend requirements, both on a corporate and a consolidated basis for each year from 1937 to 1946 are shown in the following table:

[000 omitted for dollar amounts]

Year	Gross income		Net income	
	Corp.	Consol.	Corp.	Consol.
1937	$575	$1,333	$295	$402
1938	344	952	94	91
1939	305	833	83	16
1940	131	194	(69)	(313)
1941	122	527	(71)	20
1942	107	473	(83)	(35)
1943	81	471	(102)	(27)
1944	44	435	(135)	(44)
1945	83	473	(91)	17
1946	88	468	(60)	76

[000 omitted for dollar amounts]

Year	Net income for common		Times fixed charges and pfd. div. req. earned	
	Corp.	Consol.	Corp.	Consol.
1937	$85	$192	1.17	1.17
1938	(116)	(119)	.75	.69
1939	(127)	(194)	.71	.81
1940	(279)	(523)	.32	.27
1941	(281)	(190)	.30	.73
1942	(293)	(245)	.27	.66
1943	(312)	(237)	.21	.67
1944	(345)	(254)	.11	.63
1945	(301)	(193)	.22	.71
1946	(270)	(134)	.25	.78

31. It appears, tentatively, that the corporate structure and continued existence of Penn Corp unduly complicate the corporate structure of the Penn Corp holding company system and unfairly and inequitably distribute voting power among the security holders of the system and that the continued existence of one or more of the subsidiaries of Penn Corp may unduly and unnecessarily complicate the corporate structure of the system. It further appears that consummation of the proposed plan would result in the existence of more than two tiers of holding companies in the Penn Corp holding company system.

III. It appearing to the Commission, on the basis of the allegations hereinabove set forth, that a proceeding should be instituted under sections 11 (b) (1), 11 (b) (2) 15 (a), 15 (f) and 20 (a) of the act with respect to Penn Corp and its subsidiaries to determine what steps, if any, should be taken by such companies pursuant to the provisions of said sections; and

The Commission being required by the provisions of section 11(e) of the act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or as it may be modified, is necessary to effectuate the provisions of subsection (b) of section 11 of the act, and is fair and equitable to the persons affected by such plan; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan filed by Penn Corp. and several of its subsidiaries pursuant to section 11 (e) of the act and the proceedings instituted herein by the Commission under sections 11 (b) (1), 11 (b) (2) 15 (a), 15 (f) and 20 (a) of the act; and

It further appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together:

It is hereby ordered, That a proceeding be and it hereby is instituted under sections 11 (b) (1) 11 (b) (2) 15 (a), 15 (f) and 20 (a) of the act directed to Penn Corp and its subsidiaries, that such proceeding be and it hereby is consolidated with the proceeding with respect to the plan filed herein pursuant to section 11 (e) and that a hearing in the consolidated proceedings under the applicable provisions of the act and the rules and regulations of the Commission thereunder be held on April 12, 1948, at 10:00 a. m., e. s. t., at the office of the Securities and Exchange Commission, 425 Second Street, N. W., Washington 25, D. C. On that day the hearing room clerk in Room 101 will advise as to the room in which the hearing will be held.

It is further ordered, That without limiting the scope of the issues presented in the consolidated proceedings, particular attention shall be directed at the hearing to the following matters and questions:

(1) Whether the plan as submitted or as hereafter modified is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected thereby, and if not, in what respects said plan, including any modifications thereof, should be modified and amended;

(2) Whether the proposed transfer by Penn Corp to Crystal City of the preferred stock of Crystal City and the common stock of Saugerties and the proposed transfer by Penn Corp to Allegany of the common stock of Crystal City meet the applicable provisions of sections 12 (d) and 12 (f) of the act and Rules U-43 and U-44 thereunder;

(3) Whether the proposed acquisition by Crystal City of its preferred stock and of the common stock of Saugerties and the proposed acquisition by Allegany of the common stock of Crystal City meet the applicable requirements of sections 10, 12 (c) and 12 (f) of the act;

(4) Whether the proposed transfer by Penn Corp to Allegany of the common stock of Crystal City is fair and equitable to the security holders of Penn Corp and whether such transfer, and the acquisition of said stock by Allegany, are necessary to effectuate the provisions of section 11 (b)

(5) Whether the proposed acquisition by Crystal City from Allegany and the proposed sale by Allegany to Crystal City of utility assets meet the applicable requirements of sections 9 (b) 10, 12 (d) and 12 (f) of the act;

(6) Whether the fees, commissions or other remuneration which may be proposed, upon petition of any interested person, in connection with the proposed transactions are for necessary services, are reasonable in amount and are fairly allocated;

(7) Whether the proposed accounting treatment of the proposed transactions is proper, is in conformity with sound accounting principles and complies with the applicable provisions of the Uniform System of Accounts for Public Utility Holding Companies;

(8) What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors and consumers;

(9) Whether the allegations contained in section II hereof are true and correct;

(10) Whether the amounts recorded on the books of Penn Corp are in accordance with the rules and regulations of this Commission and the Uniform System of Accounts for Public Utility Holding Companies;

(11) What action is necessary to be taken by Penn Corp and/or its subsidiaries to limit the operations of the holding company system of Penn Corp to a single integrated public utility system and to such additional systems and other businesses as are retainable under the standards of section 11 (b) (1) of the act;

(12) Whether the corporate structure or continued existence of Penn Corp or of any other company in the holding company system unduly or unnecessarily complicates the structure, or unfairly or inequitably distributes voting power among security holders of such holding company system; and if so, what action shall be required with respect thereto pursuant to section 11 (b) (2) of the act.

It is further ordered, That jurisdiction be and it hereby is reserved to separate, either for hearing in whole or in part or for disposition either in whole or in part, any issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That Penn Corp and its subsidiaries file with the Secretary of the Commission, on or before the 29th day of March their joint and several answers, in the form prescribed by Rule U-25 of the rules and regulations under the act, admitting, denying or otherwise explaining their respective positions as to each of the allegations set forth in Part II hereof. Such answers may also include statements by respondents of their views as to what action, if any, should be taken to limit the operations of the holding company system of Penn Corp in accordance with the geographic integration standards of section 11 (b) (1) of the act, and as to what action, if any, should be taken to bring the corporate structure and the distribution of voting power among security holders of the system into conformity with the provisions of section 11 (b) (2) of the act. In lieu of statements of views as aforesaid, respondents may, if they so desire, file a further plan or plans for the purpose of achieving compliance with the provisions of sections 11 (b) (1) and 11 (b) (2) of the act.

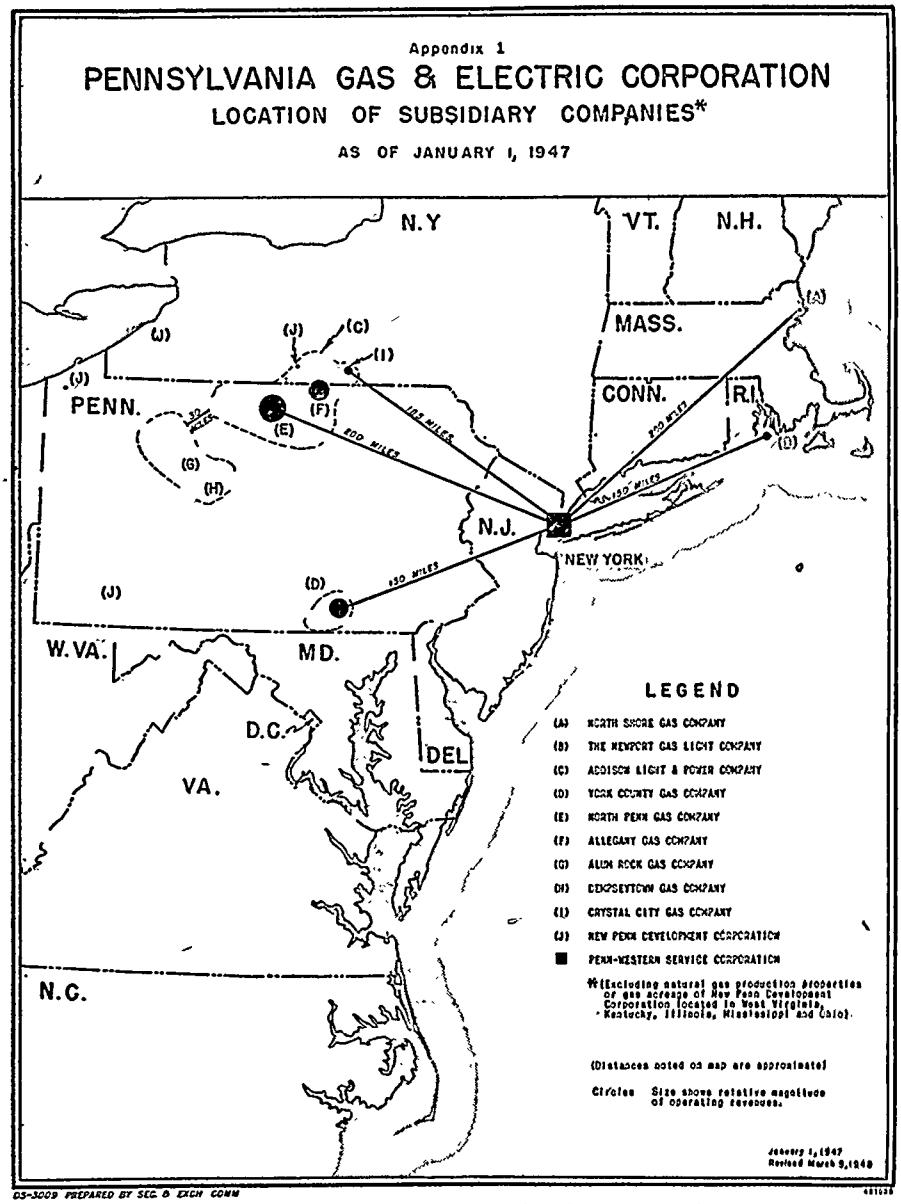
It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

Notice is hereby given of said hearing to the above-named applicants and respondents, to the Massachusetts Department of Public Utilities, the New York State Public Service Commission, the Pennsylvania Public Utility Commission, the Rhode Island Department of Business Regulation, the Federal Power Commission and to all interested persons; said notice to be given to Penn Corp, to each of Penn Corp's subsidiaries and to the above-named commissions by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER. It is requested that any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before April 7, 1948, his request or application therefor, as provided by Rule XVII of the Commission's rules of practice. Such request shall set forth the nature of such person's interest in the proceedings, the reasons for requesting to be heard or to intervene, which of the allegations and issues, as set forth above, such person proposes to controvert, together with a statement of any additional issues proposed to be raised to the proceedings herein.

It is further ordered, That Penn Corp shall mail a copy of this notice and order at least twenty days prior to April 12, 1948, to each of its known security holders of record as of a date not earlier than January 1, 1948, at his recorded address; and that Penn Corp shall enclose therewith a statement that applicants may modify Plan No. 1 by amendment without further communication to security holders, unless otherwise ordered by the Commission or unless information with respect to amendments is requested of Penn Corp by individual security holders.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*



[F. R. Doc. 48-2259; Filed, Mar. 19, 1948; 9:01 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55, Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8844, Amdt.]

DAISY VIVANTI AND WALTER LEMKE

In re: Bank account, stock, bonds and certificates of deposit owned by Daisy Vivanti Lemke and Walter Lemke. F-28-593-A-1, F-28-593-E-1.

Vesting Order 8844, dated April 30, 1947, is hereby amended as follows and not otherwise: By deleting from Exhibit A, attached thereto and by reference made a part thereof, the name "Hurley & Co." wherever it appears in said Exhibit A and substituting therefor the word "Bearer."

All other provisions of said Vesting Order 8844 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursu-

ant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2455; Filed, Mar. 19, 1948; 8:48 a. m.]

[Vesting Order 10777]

CARL GUDERT

In re: Trust under the will of Carl Gudert, deceased. File No. D 28-2204. E. T. 3018.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Luise Strobel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the trust established under the will of Carl Gudert, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by George J. Haeusler, as Surviving Trustee, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin,

and it is hereby determined:

4. That to the extent that the above named person is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2443; Filed, Mar. 19, 1948; 8:47 a. m.]

[Vesting Order 10782]

ROBERT KOENNE AND AMERICAN NATIONAL BANK OF DENVER

In re: Trust created by Robert Koenne, as settlor and the American National Bank of Denver, a corporation, as trustee, dated January 20, 1944. File No. D-28-11545; E. T. sec. 15754.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Albertine Franke, Marie Pelz, Sophie Baumgarten, and Klara Limburg, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof and each of them in and to and arising out of or under that certain trust agreement, dated January 20, 1944, by and between Robert Koenne as settlor and the American National Bank of Denver, Colorado, as trustee is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by the American National Bank of Denver, Colorado, as trustee, acting under the judicial supervision of the District Court in and for the city and county of Denver, Colorado,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-2444; Filed, Mar. 19, 1948; 8:47 a. m.]

[Vesting Order 10789]

TAMAYE TABATA

In re: Rights of Tamaya Tabata under Insurance Contract. File No. F-39-3204-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tamaye, Tabata, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,125,616, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Toranosuke Tabata, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy county (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-2445; Filed, Mar. 19, 1948; 8:47 a. m.]

[Vesting Order 10796]

EMILIE CONRAD

In re: Debt owing to Emilie Conrad. F-28-25498-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emilie Conrad, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Emilie Conrad, by Detjen & Detjen, 511 Locust Street, St. Louis 1, Missouri, in the amount of $140.00, as of December 31, 1945, together with any and all accruals thereto, and any and all

rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2446; Filed, Mar. 19, 1948; 8:47 a. m.]

[Vesting Order 10797]

DEUTCHE DAMPFSCHIFFFAHRTS-GESELLSCHAFT "HANSA"

In re: Debt owing to Deutche Dampfschifffahrts - Gesellschaft "Hansa" F-28-7716-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Dampfschifffahrts-Gesellschaft "Hansa", the last known address of which is Bremen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Bremen, Germany and is a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Deutche Dampfschifffahrts-Gesellschaft "Hansa" by Boyd, Weir & Sewell, Inc., 24 State Street, New York 4, New York, in the amount of $204.92, as of March 1, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-2447; Filed, Mar. 19, 1948; 8:47 a. m.]

[Vesting Order 10798]

TERESE AND JOSEF ENGELMANN

In re: Bank account owned by Terese Engelmann and Josef Engelmann. F-28-871-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Terese Engelmann and Josef Engelmann, whose last known addresses are Saline, Rappenau-Baden, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Terese Engelmann and Josef Engelmann, by Fulton Savings Bank, Kings County, 375 Fulton Street, Brooklyn 1, New York, arising out of a savings account, account number 121849, entitled Terese Engelmann or Josef Engelmann, Jointly Binding if Paid to either or Survivor, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany),

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C,, on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2448; Filed, Mar. 19, 1948; 8:47 a. m.]

[Vesting Order 10799]

HAGER & MEISINGER

In re: Debt owing to Hager & Meisinger. F-28-14627-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hager & Meisinger, the last known address of which is Kronprinzenstrasse 9, Duesseldorf, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Duesseldorf, Germany, and is a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Hager & Meisinger, by H. Ostermann, doing business as Meisinger Company, 150 Fifth Avenue, New York 11, New York, in the amount of $306.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2449; Filed, Mar. 19, 1948; 8:48 a. m.]

[Vesting Order 10800]

GEBR. HARTMANN

In re: Debt owing to Gebr. Hartmann. F-28-10012-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gebr. Hartmann, the last known address of which is Ammendorf, Halle/S, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Gebr. Hartmann, by Eric G. Reimer, 4464 Beniteau Avenue, Detroit 13, Michigan, in the amount of $1,101.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2450; Filed, Mar. 19, 1948; 8:48 a. m.]

[Vesting Order 10802]

JAUCH & HEUBER

In re: Debt owing to Jauch & Heuber. F-28-11531-C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Jauch & Heuber, the last known address of which is Steinstrasse 10, Hamburg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Hamburg, Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Jauch & Heuber, by Marsh & McLennan, Incorporated, 70 Pine Street, New York 5, New York, in the amount of $2,785.11, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-2451; Filed, Mar. 19, 1948; 8:41 a. m.]

[Vesting Order 10803]

KLOECKNER & CO.

In re: Debt owing to Kloeckner & Co., also known as Klockner & Co., and as Klockner-Eisen. F-28-8743-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kloeckner & Co., also known as Klockner & Co., and as Klockner-Eisen, the last known address of which is Duisburg, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Duisburg, Germany, and is a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Kloeckner & Co., also known as Klockner & Co., and as Klockner-Eisen, by R. P. Oldham Company, 1151 South Broadway, Los Angeles 15, California, in the amount of $2,052.28, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2452; Filed, Mar. 19, 1948; 8:48 a. m.]

[Vesting Order 10804]

HANS KRICKO

In re: Bank account owned by Hans Kricko. F-28-17273-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Kricko, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Corn Exchange Bank Trust Company, 26 Rector Street, New York City, New York, arising out of a checking account, entitled United Fruit Company in trust for Tiendas Americanas. Hans Kricko, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Hans Kricko the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2453; Filed, Mar. 19, 1948; 8:48 a. m.]

[Vesting Order 10805]

CARL MARTIN

In re: Debt owing to Carl Martin. F-28-28211-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Martin, whose last known address is Sohlingen-Hoescheidt, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follow: That certain debt or other obligation owing to Carl Martin, by H. Ostermann, doing business as Meisinger Company, 150 Fifth Avenue, New York 11, New York, in the amount of $275.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 3, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-2454; Filed, Mar. 19, 1948; 8:48 a. m.]